
Written Representations M25 10/ A3 Wisley Interchange Improvement Development Consent Order Application

Prepared for:

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1. Summary

- 1.1. Wisley Property Investments (WPIL) is the principal landowner of the Wisley Airfield, which is allocated for a new settlement by Allocation A35 of the adopted Guildford Local Plan 2015-2034 (GBLP). **Appendix 1** demonstrates WPIL's land ownership on the basis of the previous planning application submitted in 2014 (which was dismissed at Appeal in June 2018, 'the Appeal Scheme'). Part of the new settlement allocation is affected by Highways England's (HE) Development Consent Order (DCO) application for the upgrading of M25 Junction 10. The planning application process for the new settlement will be undertaken in 2020, with implementation envisaged alongside the DCO delivery from 2022. The first occupations in 2022/23 will coincide with the practical completion of the Junction 10 works. This acts as a resubmission to the application dismissed at Appeal, as the outstanding matters were resolved via the adoption of the GBLP.
- 1.2. WPIL is broadly supportive of the DCO scheme and the necessity to make enhancement to the strategic road network on the A3/ M25 at and around Junction 10. Subject to satisfactory resolution of the issues identified in this Written Representation, the improvements will enable the delivery of the GBLP as noted by the Plan itself (for example Section 3: Spatial Vision for the Borough, Policy ID2: Supporting the Department for Transport's "Road Investment Strategy", Allocation A35: Former Wisley Airfield, Ockham and Appendix 6 - Infrastructure Schedule). In particular, Allocation A35 acknowledges the relationship between the delivery of the new settlement and the M25 Junction/A3 Wisley interchange upgrade. The delivery of the Junction upgrade is supported by Guildford Borough Council's (GBC) Infrastructure Delivery Plan (IDP).
- 1.3. However, WPIL has some objections to the DCO as drafted, notably:

Land and the avoidance of the need for compulsory purchase

- 1) WPIL objects to the compulsory acquisition of any of its land. Without a private treaty agreement to regulate the implementation of the powers sought in the DCO, the Scheme could impede the delivery of the GBLP and runs contrary to the development plan in this respect. WPIL remains committed to engaging with HE regarding the use of its land to enable the construction of the relevant DCO works via private treaty agreement, but as these negotiations are in the early stages, WPIL must maintain its objection to the compulsory acquisition powers sought over WPIL land until those negotiations have satisfactorily concluded.

In response, the Written Representations proposes changes to:

- The Land Plans 1 and 2 (APP-006);
- Amendments to Schedules 5 and 7 of the DCO; and
- Inclusion of text within the DCO to provide for the legal licences enabling HE to build over WPIL land.

Highways Modelling

- 2) WPIL requests that the DCO Examination hears the detailed information on HE's traffic modelling methodology and outputs, so that the implications for strategic developments, such as Wisley Airfield and the local road network can be understood by the Examining Authority, WPIL and others. WPIL is seeking clarification from HE on the transport modelling, in particular the matters raised by Surrey County Council (SCC) in their Relevant Representation. If it is concluded that a material adverse impact will arise then the DCO should consider opportunities for mitigation measures and work with SCC to identify those that can be brought forward within the provisions of the DCO.

To secure and not prejudice the future primary site access into allocation A35

- 3) Proposed arrangements for securing site access to the GBLP A35 allocation from the proposed Wisley Lane diversion, including provision for an appropriate site access with appropriate traffic conditions (such as speed restriction) on the proposed Wisley Lane, and DCO Requirements or planning obligations if the DCO is made (the DCO must protect a future site access). Specifically:
 - a) The DCO must either include the opportunity to use the temporary construction access to form the permanent site access or include the opportunity to place a Requirement (condition) on the DCO to not prejudice site access to enable delivery of allocation A35 both during initial construction phases and future occupation (a potential access location is shown in **Appendix 3**).
 - b) HE should facilitate access to enable the delivery of allocation A35 by the Wisley Airfield contractors from the Ockham roundabout during the construction of the DCO works. The planning application process for the new settlement will be in 2020 (see **Table 2.1** in Section 2 of this Written Representation) in order to enable the GBLP housing trajectory. This means that the implementation of the new settlement is also likely during the DCO construction period.
 - c) Traffic management provisions should be included in the DCO with respect of the proposed Wisley Lane's access function to allocation A35 and also with respect of construction access for the delivery of the DCO. The Appeal Scheme conditions required main works construction traffic to access the site from the Ockham Park Junction and not from Old Lane / Ockham Lane due to the impact on the local road network (the Appeal Scheme included necessary construction conditions – see **Appendix 10**).
 - d) The proposed gas main diversion to the south of the new Wisley Lane route should be constructed to a specification, including depth and protection by means of sleeving or protective measures to enable an access road suitable as a new access to allocation A35 to be constructed over it. Any wayleave or other agreement with the relevant statutory provider for the gas main should specifically allow for these works to be carried out without abnormal cost to WPIL/ the delivery of allocation A35.

All of these matters should be included as a specific protective provision in the DCO, and not be left for the detailed design/ discharge of DCO Requirements stage.

In response to these concerns, WIPL's written representation proposes specific amendments to the DCO to ensure that HE's construction access off Wisley Lane and the proposed gas main alongside the Wisley Lane diversion take into account the preferred access route into the Wisley Airfield site.

Ecology and the need to ensure robust mitigation of any adverse effects including to not prejudice the timely delivery of the required Suitable Alternative Natural Greenspace (SANG) to enable the delivery of allocation A35

- 4) The relationship between HE's biodiversity strategy (including proposed SPA-related matters and on-site works) and the future delivery of allocation A35.

The DCO temporary works area (for topsoil storage and contractors compound to the north, and biodiversity improvement measures to the south), and potential implication for part of the proposed SANG to enable the delivery of allocation A35. A significant proportion of the proposed SANGs will be to the area north of the airfield and adjoining the DCO temporary works area, (and to the south at Stratford Brook including the location of proposed retained rights). WPIL intend that first occupation of the Wisley Airfield scheme will coincide with the DCO scheme being open to traffic. The northern SANG and that at Stratford Brook will be required to be provided at first occupation. SANG construction works for this area is anticipated to take two years prior to opening (see SANG Management Plan – **Appendix 10**). Accordingly, any use of this temporary area beyond DCO scheme open date should be minimised or avoided or be for as short a period as possible. The construction of the DCO should not interfere with the SANG user experience from this date. In particular, any noisy or intrusive uses (such as, concrete crushing or other similar activity) should not occur beyond this date. Further part of the proposed topsoil storage area overlaps with proposed northern SANG, and this land area should be reduced to the minimum actually required. Given its importance to the housing delivery trajectory of the GBLP, this matter should be considered at DCO stage and not left to detailed design and implementation phase of the project.

Other matter raised in WPIL's written representation include:

- 5) HE's Landscape and Ecology Management and Monitoring Plan (APP-106, ES Appendix 7.20) and how this relates with parts of the proposed SANG.
- 6) Species permeability of the diverted Wisley Lane, and appropriate mitigation for any impact on the SNCI, and on reptiles / amphibians and other species. WPIL would be prepared to consider facilitating access to HE ahead of DCO contract period to enable ecological mitigation measures (for example, species translocation) in a seasonally appropriate period, to assist in the timely delivery of the DCO scheme.

- 7) Detailed proposals for the proposed works to Stratford Brook and their future management. WPIL would be prepared to consider an agreement for WPIL to be under an obligation to carry out future maintenance to an agreed specification on this land (with appropriate step in rights in the event of default) to avoid the necessity for future rights by HE and so enable the seamless delivery of this and the SANG Management Plan.

In response to these considerations, WPIL's Written Representation identifies a range of matters on which common ground is under discussion with HE, including the means of delivering and reinforcing relevant safeguards. An amendment is also sought to Requirement 3(2)(e) (Construction and handover environmental management plans) in Schedule 2 Part 1: Requirements of the draft DCP (APP-018).

Recognition of the trees on-site and approach to mitigate any loss.

- 8) HE's proposals on existing trees and landscape on and near to Wisley Airfield, including for example Wisley Lane diversion and mitigation measures possible alongside the delivery allocation A35. Regard to be had of the relevant arboriculture information (see **Appendix 13**).

2. Background on Wisley Airfield

Comprehensive Evidence Base

2.1. Wisley new settlement is justified in allocation A35 of the GBLP owing to a comprehensive evidence base compiled over 8 years, including a combination of GBC commissioned and WPIL commissioned work. Most of the WPIL commissioned work contributed to a planning application submitted in 2014 and Appeal (Public Inquiry heard in 2017). In respect of the evidence compiled by WPIL which is of the most relevance to the justification for the new settlement in the context of the DCO, this included:

- Wisley Airfield Garden Village – Garden Communities Programme Bid to the MHCLG submitted by GBC in November 2018 (see **Appendix 4**);
- Summary Document of the Wisley New Settlement Proposals (July 2017) (see **Appendix 6**) (Submitted to the Local Plan Examination May 2018);
- Detailed Access Drawing (Ockham Interchange) including improvements (ref. 0934-SK-005 F) (Submitted to the Local Plan Examination May 2018) (see **Appendix 5**);
- Position on Flood Risk Mitigation – Ockham Interchange (submitted in relation to the Appeal Scheme);
- Agricultural Land Classification Reporting (submitted to the Local Plan Examination May 2018);
- Ecological Baseline Reports (sufficient to inform the Environmental Statement supporting a planning application, from 2014 to date);
- Evidence to Inform the SNCI Designation (July 2017) (submitted as part of the Local Plan representations July 2017) (further updates contributed to a Statement of Common Ground at the Local Plan Examination);
- Information for HRA & SANG Management Plan (November 2015) (**Appendix 10**) (fully costed, funded and phased implementation) (all agreed with Natural England and updates provided re: the Appeal Scheme in 2017);
- Landscape & Visual evidence (from 2014 to date) (sufficient to inform the Environmental Statement supporting a planning application, and also evidence re: visual impact / and SANGs delivery submitted as part of the Appeal Scheme);
- Air Quality evidence (from 2014 to date) (sufficient to inform the Environmental Statement supporting a planning application);
- Transport Assessment & Modelling (from 2014 to date) (sufficient to inform the Environmental Statement supporting a planning application);
- Economics Impact Assessment (June 2017) (submitted in relation to the Appeal Scheme);
- A Section 106 agreed between WPIL, GBC and SCC in relation to the Appeal Scheme (November 2017) (**Appendix 10**); and
- Note to the Public Inquiry relating to the Appeal Scheme and the DCO Wisley Lane diversion (October 2017) (**Appendix 12**).

- 2.2. The evidence base contributed to no objection from any statutory authority to allocation A35 at the Local Plan Examination.
- 2.3. The work supported the preparation and adoption of the GBLP and a planning application for a new settlement on the site. The application was submitted in December 2014 and dismissed at Appeal in June 2018 (ref: APP/Y3615/W/16/3159894) (the 'Appeal Scheme'). The primary reasons for this dismissal were the strategic highways impact and the Green Belt status of the land at the time (see Decision letter **Appendix 7a** and costs application determination which recognises the plan-led nature of the WPIL application, and the potential for agreement with HE on transport matters Appendix 7 a/b). These matters have been addressed through the adoption of the GBLP including a Policy requirement (A35 and D1) for early phase masterplanning. This was further explicitly supported by the then Secretary of State James Brokenshire's decision not to intervene in the adoption of the GBCLP (Appendix 8). The outstanding matters with respect of the strategic highways network were agreed with HE in a position statement in June 2018 (see **Appendix 11**).
- 2.4. It was demonstrated at Appeal that the delivery of a new settlement alongside a DCO scheme incorporating a Wisley Lane diversion was achievable (see **Appendix 12**). A planning condition was proposed, and agreed with HE with respect of the sub-phasing of the new settlement (see condition 6, **Appendix 10**).

Consented/ Implemented Access from Ockham Interchange

- 2.5. Part of allocation A35 benefits from an extant and part implemented planning permission for an In-Vessel Compositing Facility (IVC). This was granted by Appeal on part of the Site in March 2010 following an original application dated July 2008 (ref: 08/P/01472 / APP/B3600/A/09/2098568). The Ockham Interchange access is consented and implemented by virtue of this planning permission and will be used by the proposed development as per allocation A35 in GBLP.
- 2.6. On 29 September 2011 an application under S. 73 of the Town and Country Planning Act 1990 (ref: GU11/1788) was submitted seeking permission to develop without compliance with conditions 2 and 10 of the IVC Appeal decision, seeking to revise the approved access which would require the replacement of two access/ highway plans. This permission was granted on 1 August 2012.
- 2.7. On 21 March 2012 a minor material amendment application was submitted in relation to Condition 10 of the Appeal Decision (ref: GU12/P/00533). This sought to vary the condition to allow the phased construction of the Wisley Airfield access, alterations to the A3 southbound slip road, and the Ockham roundabout. The variation allowed the road access construction to be carried out as two stages, the first comprises the slip road and roundabout works, with the second stage being the development within the Site entrance. Planning permission on this variation was granted on 1 August 2012. The permission contained a condition (1) requiring that the development should commence prior to 8 March 2013.
- 2.8. On 11 March 2013, written confirmation that as a result of works the permission was implemented. This

was confirmed in the Planning Officer's report in relation to the discharge of some of the conditions (dated June 2013). The officer stated that:

"Works commenced on Site over the period 28 February to 7 March 2013 with the creation of the bund to the east of the development Site. These works involved the importation of inert material for the construction of the bund....The applicant subsequently notified the CPA of commencement of development in accordance with Condition 1 of the planning permission....Counsel advised that the bund works are sufficient to have implemented the development for the purpose of Condition 1 of planning permission GU12/P/00533, subject to the approval of all 10 details pursuant schemes whether by the CPA or on Appeal"

2.9. A number of applications to discharge conditions attached to planning permission GU12/P/00533 were approved by SCC between June and September 2013. These relate to:

- Construction Method Statement (ref: GU13/P/00402/C14);
- Materials (ref: C34);
- Archaeology (ref: C34);
- Landscape and ecology;
 - Management plan (ref: C29);
 - Design of bund (ref: C28);
 - Detailed planting scheme (ref: C27);
- Details of external lighting (ref: C23);
- Details of Bridge over Stratford Brook (ref: C26);
- Intrusive Site investigation scheme (ref: C25); and
- Scheme to protect public highway from detritus (ref: C15).

2.10. Construction of the IVC facility has therefore commenced and in planning terms the IVC planning permission should be regarded as extant (in existence) and has been acknowledged as such by SCC. However, the permission, does have a bearing on the potential future use of the land, some of which is subject to the DCO. A plan of the consented IVC scheme and area is included in (**Appendix 2**). The IVC, alongside the allocation of A35 as a new settlement informs the baseline land value.

MHCLG Garden Village Bid

2.11. SCC and GBC has made a bid to MHCLG to designate Wisley new settlement as a Garden Community. The bid was made in October 2018 and remains live, and the proposal is a candidate Garden Community. The bid was supported by WPIL.

2.12. The bid sought to support the prompt delivery of the new settlement alongside the required enhancements to the strategic road network and other required infrastructure.

2.13. The Garden Village Bid is outlined in (**Appendix 4**).

Key Constitute Part of the Local Plan / Housing trajectory

- 2.14. Wisley new settlement is envisaged to deliver 2,100 homes (C2/ C3) in the 12-year housing land supply, from 2022/23, as outlined in the Housing Trajectory in Appendix 1 of the GBLP. The Land Availability Assessment (2017) outlines the same trajectory of delivery. The proposed first occupation of the scheme in this trajectory is 2022/23 which coincides with the proposed DCO works completion date.

Timing of WPIL Planning Application & ongoing progress

- 2.15. The present progress of planning application to implement Allocation A35 is anticipated to be:

Table 2.1: Proposed progress of the planning application

EIA Scoping Report	Q1 2020
Policy D1 Compliance Public Consultation and design review panel process	Q1/Q2 2020
Application Submission	Q2/3 2020
Application Determination (Resolution)	December 2020
SANG establishment works	2021/22 (18 months establishment following preparatory ecology and ground works)
First Dwelling Occupations	From 2022/23

- 2.16. These timescales have been conveyed to GBC and reflect the GBLP housing trajectory.
- 2.17. WPIL is committed to engaging in a GBLP policy D1 design/ masterplanning process to guide the proposed planning submission including public consultation. Resolution to the DCO process is required to inform this process.

3. Objectives of WPIL

- 3.1. WPIL's objective is to support the DCO, subject to amendments to help ensure the successful, prompt and robust delivery of Wisley new settlement. The following amendments sought to the DCO relate to:
- Land and the avoidance of the need for compulsory purchase;
 - To secure and not prejudice the future primary site access into allocation A35;
 - Construction access, delivery and coordination;
 - Ecology and the need to ensure robust mitigation of any adverse effects including to not prejudice the timely delivery of the required SANG to enable the delivery of allocation A35;
 - Recognition of the trees on-site and approach to mitigate any loss.
- 3.2. In addition, WPIL requests clarity in respect of highways modelling in respect of the implications arising from the implementation of the DCO, in order to enable the prompt delivery of the GBLP.
- 3.3. WPIL is seeking a legal agreement with HE to ensure the interface between the DCO works and the site are managed appropriately. WPIL is encouraged that HE has confirmed its willingness to enter into an early agreement to secure the rights sought currently in the draft DCO. Until such an agreement is entered into, WPIL will maintain its objection to the compulsory acquisition of its land.
- 3.4. As outlined in Section 2, WPIL intends to submit a planning application in 2020 to GBC for Wisley new settlement. WPIL's objective is to ensure the application, and associated conditions/ Section 106 obligations are coordinated with the delivery of the DCO, and are informed by, and consistent with the detailed design/ Requirements and protective provisions contained within the DCO. There is every opportunity to realise the DCO as supportive to the delivery of allocation A35.
- 3.5. A draft Statement Common Ground in progress between WPIL and HE, the progress on which is summarised in Section 4.

4. Overview of works on Wisley Airfield

4.1. As outlined, WPIL supports the principle of the DCO and the large majority of the works proposed. However, the signalisation and improvement of Ockham Interchange that is proposed in the draft DCO application proposes work on WPIL's land, including the permanent diversion of Wisley Lane through the site, and a temporary large topsoil storage/temporary construction compound. The Airfield site plots included in the draft DCO Book of Reference (APP-025) are as follows:

- Permanent Rights and Temporary Powers – Plots 1/40, 1/18a;
- Temporary Powers - Plots 2/1, 2/1a, 2/1b, 2/3, 2/5a, 2/5c; and
- Permanent Acquisition – 1/18, 1/22, 2/5b.

4.2. **Table 4.1** specifies where the DCO proposal overlaps with WPIL's landownership and whether HE is seeking to permanently acquire the land.

Table 4.1: The aspects of the DCO relevant to WPIL's landownership

Book of Reference	Plan Ref	Land Plan (HE Proposed)	Work Number	Description of Works	Wisley proposals	Airfield
1/18	½	Permanent title acquisition	31(h)/32/33/33(a)/33(b)/63(a)	New bridleway to connect with Work No. 33/diversion of footpath 13a and 13/Wisley Lane diversion/diversion of gas pipelines to accommodate widening/new single span bridge to carry the road over Stratford Brook/a new signal controlled crossing	SANG phase 2, open space and green infrastructure, employment, approximate location for pumping station, potential proposed access	
1/18a	1	Used temporarily and rights to be acquired permanently	54	Environmental mitigation works to improve Stratford Brook	SANG phase 1	
1/22	1	Permanent title acquisition	31(g)	A new non-segregated footway/cycle track to include new signal controlled non-motorised crossing	Open space and green infrastructure	
1/22a	1	Not subject to compulsory acquisition or temporary possession	N/A	N/A	Open space and green infrastructure	
1/40	1	Used temporarily and rights to be acquired	63(a)	Diversion of gas pipelines to accommodate widening	Employment incorporating B1(B&C), B2 and B8 uses	

Written Representations

Wisley Airfield



		permanently			
2/1	23	Land to be used temporarily	Other Relevant Works	Temporary works - construction compounds, top soil storage area	SANG phase 1 & 3
2/1a	2	Land to be used temporarily	33	Wisley Lane diversion	Employment incorporating B1(B&C), B2 and B8 uses
2/1b	2	Land to be used temporarily	33	Wisley Lane diversion	Open space and green infrastructure/SANG
2/3	23	Land to be used temporarily	Other Relevant Works	Temporary works - construction compounds, top soil storage area	SANG phase 1
2/5a	2	Land to be used temporarily	33	Wisley Lane diversion	Open space and green infrastructure/SANG
2/5b	2	Permanent title acquisition	33/63a	Wisley Lane diversion/diversion of gas pipelines to accommodate widening	SANG phase 1
2/5c	2	Land to be used temporarily	34	A new bridleway to connect Wisley Lane diversion (Work No. 33) with Elm Lane and Byway 544	SANG phase 1

4.3. **Table 4.1** demonstrates the majority of the HE scheme, where it affects WPIL's interest, is situated on land proposed as open space/green infrastructure, in the form of Suitable Accessible Natural Greenspace (SANG) (see the new settlement masterplans contained in **Appendices 4 and 6**). This SANG land is necessary to mitigate the impact of the residential development on the Thames Basin Heaths Special Protection Area (TBHSPA), and therefore throughout the construction of the development, the relevant phase of SANG must be in place prior to occupation of the dwellings. WPIL would therefore request that the temporary construction compound and top soil storage area as shown on Work Plans 2 and 23 (APP-007) is not used beyond 2022. This timeframe would ensure the first dwellings to be occupied in 2022/23 once the initial phases of SANG are delivered. The SANG Management Plan (**Appendix 10**) produced to support the previous application demonstrates the intended delivery sequence (albeit the precise areas/boundaries will change in light of a future masterplan). The planning timeframes are outlined on **Table 2.1** in Section 2.

4.4. The Wisley Lane diversion (Work Ref: 33) offers an opportunity to serve the development at Wisley Airfield from a Junction off the Wisley Lane rather than the previous proposal for a separate link road all the way from Ockham Park Junction (see **Appendices 5 and 12**). It would be unacceptable if the DCO scheme took no account of the need for an access into the allocated Wisley Airfield development site. The recommended DCO amendments are discussed in detail in Section 5 below.

Engagement with HE

- 4.5. As outlined, a Statement of Common Ground (SoCG) is in the process of being drafted. WPIL and HE are seeking agreement on a number of issues.
- 4.6. The key matters that are addressed in the latest draft iteration of the SoCG include:
- Scheme changes – this included upgrades or new Public Rights of Way at Wisley Lane;
 - Scheme changes – gas pipeline diversion which is proposed to run through WPIL land (Wisley Lane – Ockham Park Junction);
 - Topsoil Storage South of Wisley Lane;
 - Fence Line along Wisley Lane within WPIL owned land;
 - Flood Compensation at Stratford Brook;
 - Ecological Enhancement at Stratford Brook is within the Wisley Airfield new settlement's proposed southern SANG and also impact on the Wisley Field SNCI;
 - SPA Compensation Land Adjacent to Old Lane;
 - HE and WPIL's Biodiversity Strategy;
 - Traffic Modelling undertaken on the Local Road Network Impacts;
 - Appropriate extent of access, rights and temporary and permanent land transfer to enable proper delivery of the DCO scheme and its early stage components in a manner compatible with the delivery of allocation A35;
 - Ockham Interchange, the access to the site allocation A35;
 - Land Compensation for WPIL; and
 - A Legal Agreement including regard to a potential land acquisition (or the alternatives sought by WPIL).
- 4.7. As outlined, agreement with HE with respect of the principle of the development of a new settlement at Wisley was achieved immediately prior to the Appeal Scheme decision (see **Appendix 11**), noting the compatibility of a new settlement with the DCO scheme (evidence agreed at Inquiry, see **Appendix 12**) and also through the adoption of the GBLP. GBC and SCC note this compatibility, as evidenced in the Garden Village Bid (**Appendix 4**).

5. Principal Issues

5.1. As outlined in Section 3, WPIL's objectives concern the following:

- Land and the avoidance of the need for compulsory purchase;
- To secure and not prejudice the future primary site access into allocation A35;
- Construction access, delivery and coordination;
- Ecology and the need to ensure robust mitigation of any adverse effects including to not prejudice the timely delivery of the required SANG to enable the delivery of allocation A35; and
- Recognition of the trees on-site and the approach to mitigate any loss.

5.2. Each matter is discussed in turn in this Section 5, with remedies identified.

a) Land: Compulsory Acquisition and /or Temporary Possession

5.3. As identified in Table 1, HE is seeking to permanently acquire a number of land parcels that are owned by WPIL (APP-025 – DCO Book of Reference 1/18, 1/22, 2/5b, 1/40, 1/18a).

5.4. Notably where HE is seeking permanent acquisition, WPIL requests this work is instead undertaken via a temporary land transfer or licence to build or acquired by private treaty. This is on the premise that:

- CPO is a matter of last resort. WPIL has indicated that it will resist any CPO as there are more suitable alternatives available;
- The land value given 1) Local Plan allocation A35) and 2) the extant and implemented permission for an IVC facility, and hence risk of substantive additional costs to HE, which are not in the public interest; and
- The complexity of a CPO when alternatives are available.

Safeguards and remedies sought by WPIL in the DCO and related documents

5.5. WPIL requests that:

- i) Land Plans 1 and 2 (APP-006) are amended to show land parcels 1/18, 1/22, 2/5b, 1/40, 1/18a as 'land to be used temporarily' (i.e. shaded as green);
- ii) Corresponding amendments are made to Schedule 5: Land in which only new rights etc. may be acquired and Schedule 7: Land of which temporary possession may be taken of the draft DCO (APP-018); and
- iii) The DCO includes provision for the required legal licences to build (or equivalent sale by private treaty) over said land.

b) Transport & Access including Construction

Highways England's proposals relating to WIPL's interests

- 5.6. WPIL welcomes the confirmation given by HE during engagement that the scheme modelling specifically includes the likely traffic generation from the GBLP Allocation A35 residential-led allocation at Wisley Airfield, and that the scheme design is anticipated, subject to detailed assessment at the time of submission of a planning application for a scheme at the Airfield, to operate satisfactorily such that there will be no adverse impact on the Strategic Road Network arising from the Airfield's development.
- 5.7. This confirmation applies to both of the north-facing slip roads at Ockham Park Junction, the A3 mainline between Ockham Park Junction and M25 Junction 10, Ockham Park Junction itself and Junction 10, all components that were relevant to the findings of the Wisley Airfield Planning Appeal held in 2017. The DCO scheme therefore addresses the concerns previously expressed by HE in the context of the Wisley Airfield planning application regarding the capacity and safety of the A3 north of Ockham.
- 5.8. As outlined, agreement with HE with respect of the principle of the development of a new settlement at Wisley, as allocated in Allocation A35 was settled immediately prior to the Appeal Scheme decision (see **Appendix 11**), noting the compatibility of a new settlement with the DCO scheme (evidence agreed at Inquiry, see **Appendix 12**) and also through the adoption of the GBLP.

Access to Wisley Airfield allocation A35

- 5.9. The allocation of housing at Wisley Airfield under Allocation A35 will be the subject of a planning application in 2020. As part of the work done so far on the access strategy for the site, account has been taken of the plans that have emerged as part of this DCO scheme for the Wisley Lane diversion. This offers an opportunity to serve the development from a junction off the Wisley Lane diversion rather than the previous proposal for a separate link road all the way from Ockham Park Junction (**Appendix 5**), which would now prove more difficult due to the proposed arrangement and levels of the Wisley Lane diversion at this location. The appointed masterplanners for the WPIL scheme on the Airfield, JTP, have identified that such a Junction in this location might (subject to masterplan consultation in accordance with policy) enable a better sense of place and arrival to be created and the consequential internal layout would result in a less linear distribution of development within the site, something raised by the Inspector at the Planning Appeal into the site in 2017. A potential access point to allocation A35 is shown in **Appendix 3**.
- 5.10. In this light, WPIL considers that it would be unacceptable if the DCO scheme took no account of the need for an access into the allocated Wisley Airfield development site, or even in the worst case scenario precluded such an access being formed without considerable avoidable cost to the developer and disruption to road users on Wisley Lane, who include visitors to the RHS Gardens Wisley.
- 5.11. The Wisley Lane diversion will also form the route along which a large diameter gas main will be diverted. This significant item in the supporting works for the DCO scheme is costly to relocate and it would make good engineering and planning sense to ensure that the gas main was laid in a manner that:

- avoided it having to be moved or diverted a second time; and
- in this way avoided the inevitable disruption to gas supply that would result if it had to be moved or diverted a second time.

5.12. WIPL seeks to reach an agreement by way of a legal undertaking satisfying the legal requirements set out in the CIL regulations to the effect that HE will provide or enable these measures in relation to the land controlled by WPIL that will be subject to a future planning application in line with its allocation in Policy A35 of the GBLP. No such undertaking has been given by HE at the time of submitting this Written Representation which places the realisation of this access in jeopardy by causing unnecessary additional extraordinary cost and delay to the developer and disruption to road users on Wisley Lane, who include visitors to the RHS Gardens Wisley. This is a matter that should be addressed at this DCO stage with appropriate protective provisions.

Traffic modelling

5.13. WPIL has been discussing traffic modelling with HE for some time as set out in the draft SoCG. As part of this exercise, it is understood that the allocation A35 for 2,100 dwellings at Wisley Airfield has been specifically modelled and that the results of the strategic modelling and more detailed VISSIM, LINSIG and Junction 9 modelling set out in the Traffic Assessment Report (APP-136) specifically includes the traffic from this development. It is understood that it also includes all the other Local Plan allocated traffic and the traffic from the planning approval for expansion of facilities at RHS Gardens Wisley. WIPL is therefore satisfied that HE has taken full account of the allocation A35 for 2,100 dwellings at Wisley Airfield.

5.14. The Relevant Representation that SCC has submitted expresses some reservations over aspects of the modelling carried out by HE. WPIL has discussed these reservations with SCC and understands that HE is in the process of addressing these points but that the points have not yet been fully addressed.

5.15. WPIL requests that HE's response is made available as soon as possible as the interests of WPIL in local highway modelling of impacts overlap with those of SCC.

5.16. As stated by SCC, HE has not modelled the link road through the Wisley Airfield site. However, this is consistent with the results of modelling carried out by WPIL at the Planning Appeal held into the proposal in 2017.

Position of Surrey County Council

5.17. SCC raises a number of queries with HE regarding modelling and the central question is around the impacts in Ripley.

5.18. WPIL has discussed the concerns of SCC with officers and understands that SCC's current position is:-

- SCC seeks reassurance on the modelling carried out by HE and explanations of some apparent anomalous results;

- SCC acknowledges there are likely to be benefits in Ripley as demonstrated in the results set out in the Traffic Assessment Report (APP-136), although considers them to be variable and less significant than claimed by HE;
- SCC considers that the increases in traffic in Ripley as an inevitable consequence of future traffic growth and reassignment through Ripley from the M25 Junction 10 DCO scheme warrants mitigation;
- That a mitigation in the long term is identified as Burnt Common Slips as set out in the GBLP IDP, the land for which is allocated in Policy A42 of the adopted GBLP; and
- That in the short term the increases in traffic on the B2215 Portsmouth Road/Ripley High Street should be mitigated by contributions from HE to SCC to tackle the likely increase in community severance through Ripley, potentially including pedestrian crossing points of the B2215.

5.19. WPIL sympathises with the position of SCC to the extent that it supports the short-term mitigation of the impacts in Ripley. WPIL also welcomes the acceptance by SCC of the overall benefits at the Ripley High Street crossroads indicated by the modelling HE has carried out.

Safeguards and remedies sought by WPIL in the DCO and related documents

5.20. As explained above, WPIL is seeking a comprehensive agreement with HE on the matters raised in the Written Representation and will keep the Examining Authority apprised of progress. In respect of the specific matters raised in this section, WPIL is seeking agreements to the effect that:

- i) HE coordinate the location of any temporary access off Wisley Lane into the temporary contractors compound and topsoil storage area with the location proposed by WPIL for the access into Wisley Airfield development as shown in **Appendix 3**. The location of any temporary access off Wisley Lane into the temporary topsoil storage area (i.e. the blue cross-hatched area labelled on Work Plans 2 and 23 (APP-007) as 'Site compound, soil storage or other temporary works site. See Work No. (o) of DCO Schedule 1 (application Commencement of linear works document reference TR010030/APP/3.1') must take into account, as secured by a Requirement of the DCO, WPIL's proposed location for the access into the Wisley Airfield development, shown in **Appendix 3** of this Written Representation; and
- ii) The proposed gas main identified in Schedule 1: Authorised development of the draft DCO (APP-018) as Work no. 63(a) is located and protected in accordance with a manner that takes into account and does not hinder the location and design for the Wisley Airfield development access.

5.21. In respect of matter (i) above, WPIL will discuss with HE the most appropriate means by which the desired safeguard can be captured in the DCO. WPIL will also discuss with HE any need to amend Work Plan 2 (APP-007) in respect of any change to the route of the proposed gas main.

5.22. In the event that these discussions prove unfruitful within the timescale of the current examination, WPIL might unilaterally promote the inclusion of the necessary safeguards in the DCO to ensure that conflicts

between HE's proposed works and the delivery of the strategically significant allocation A35 are avoided.

c) Biodiversity, Ecology and Natural Environment

Highways England's proposals relating to WPIL's interests

- Wisley Lane diversion (work no. 33a);
- Stratford Brook underbridge (work no. 33b);
- Environmental mitigation works to Stratford Brook (work no.54);
- Thames Basin heaths SPA compensation works (work no. 58); and
- Temporary soil storage area on WPIL land.

Discussion

ES Chapter 7: Biodiversity

- 5.23. Broadly, the results of the ecological surveys carried out on WPIL land and its surroundings accord with our own findings and we agree with the overall conclusions of ES Chapter 7 (APP-052) and its associated figures and appendices (APP-068 to APP-070). However, WPIL wishes to raise the following points.
- 5.24. We note that a Precautionary Method of Working (PMW) is only recommended within 250m of confirmed GCN breeding ponds (see ES Chapter 7, paragraph 7.10.37). However, GCN are known to disperse much further than this and we have recorded terrestrial GCN on the Airfield at over 750m from the nearest breeding pond. We therefore request that the PMW is extended to include all suitable habitat within the 'SE Quadrant' where the breeding ponds are located.
- 5.25. Paragraph 7.10.43 of ES Chapter 7 (APP-052) states that *"the permeability of the Wisley Lane will be maintained for amphibians and reptiles. This may include the use of fencing, kerbs and wildlife friendly underpasses. However, the specifics will be subject to detailed design, and will be based on current good practice."*
- 5.26. The successful delivery of these measures will be fundamental to the ability of the reptile and amphibian mitigation/enhancements that are planned for the Wisley Airfield proposals to be successful. We therefore request that HE is required to consult/ liaise with WPIL at the detailed design stage, to ensure that the mitigation measures anticipated with both schemes operate in conjunction with each other.
- 5.27. Replacement planting is proposed for the temporary loss of habitat within the Wisley Field SNCI. As this falls within the WPIL SANG area, we would again request that HE consult with WPIL on this at the detailed design stage to ensure that it aligns with the Airfield scheme proposals.
- 5.28. We note that a residual *"permanent negative effect of slight significance"* on Wisley Field SNCI is identified, with no compensation proposed. It is not clear why this is the case, as paragraph 5.25 of the National

Networks NPS states that “Where significant harm cannot be avoided or mitigated, as a last resort, appropriate compensation measures should be sought”. Similarly, the DMRB (vol 11, section 1.42) states that: “Where it is not possible to avoid or reduce a significant adverse effect, then measures to offset the effect should be considered”. Indeed, the ES (APP-052) states in its Methods of Assessment chapter at para 7.6.34 that “if there are significant residual adverse effects that cannot be mitigated, then compensation will be required”. The DCO itself should recognise the opportunity that the delivery of allocation A35 presents to ensure long term mitigation/ compensation.

- 5.29. The compensation provided by HE for residual negative effects on the SNCI could comprise habitat creation and management within the proposed Wisley Airfield SANG area, in consultation with WPIL.

Habitats Regulations Assessment

- 5.30. In general, we are satisfied with the overall conclusions of the HRA (APP-039 to APP-044) and the approach to compensation taken.
- 5.31. New areas of land are proposed to be brought into the SPA and planted as wood pasture. This would result in changes to the 400m development exclusion zone around the SPA, but does not affect the developable area of the Airfield as defined in allocation A35 of the GBLP.
- 5.32. The HRA states that the DCO scheme will not improve direct access to the SPA or change car parking options, and that recreational pressure is unlikely to increase. We agree with this conclusion.

Water Environment

- 5.33. The Stratford Brook compensation proposals are acceptable from an ecological point of view and do not conflict with the ecological enhancements that the WPIL scheme would provide in this part of the proposed SANG associated with the delivery of allocation A35. We note the requirement to agree the scope of works with the Environment Agency.
- 5.34. WPIL requires certainty with regard to the detailed scope and timing of the works and future management arrangements and funding to enable align between these and SANG proposals. WPIL would consider a transfer of future maintenance obligations to WPIL in order to provide certainty of alignment with WPIL’s SANG future management proposals

Other Matters

- 5.35. The temporary topsoil storage/construction compound area on WPIL land risks impacting upon the timely delivery of the Wisley SANG Phase 1 and associated housing. Part of the area identified also falls within the Wisley Field SNCI and suitable habitat for reptiles and Great Crested Newts. WPIL’s first preference is for this land to be removed from the DCO, or as a second preference it should only extend to an area not proposed for SANG in the plan contained in the SANG Management Plan see **Appendix 10** to avoid impact on SANG creation and housing delivery and the SNCI and protected species.

- 5.36. The Wisley Fields SNCI site boundary shown on Figure TR010030/APP/2.11 (APP-016) is incorrect and should be updated (the boundary shown on Figure 7.4 of ES Chapter 7 is correct) (APP-052).

Safeguards and remedies sought by WPIL in the DCO and related documents

- 5.37. In the light of the consideration explained in this section, WPIL is seeking to establish through the agreement of common ground with HE the following provisions:
- Extend the Precautionary Method of Working for Great Crested Newts to include all suitable habitat within the 'SE Quadrant' where the breeding ponds are located;
 - HE to liaise with WPIL at the detailed design stage regarding the proposals to maintain the permeability of Diverted Wisley Lane diversion for wildlife;
 - HE to liaise with WPIL regarding the proposals for replacement planting within Wisley Field SNCI;
 - HE to deliver new habitat creation and management within the WPIL SANG area as compensation for the residual negative effects on Wisley Field SNCI, in consultation with WPIL;
 - Remove or reduce extent of temporary topsoil storage area on WPIL land;
 - Noting the requirement to agree the scope of works with the Environment Agency with respect of the Stratford Brook compensation proposals, WPIL requires certainty with regard to the detailed scope and timing of the works and future management arrangements and funding to enable align between these and SANG proposals. If this does not form a separate legal agreement with WPIL, then this should be a Requirement of the DCO, and;
 - Further discussions between HE and WPIL to clarify and agree land ownership, permissions, and responsibilities for implementing and funding any measures on WPIL land.
- 5.38. WPIL's aspiration is that its Statement of Common Ground with HE will identify the means of delivering and enforcing the safeguards listed above. In the meantime, it is requested that the Requirement 3(2)(e) (Construction and handover environmental management plans) in Schedule 2 Part 1: *Requirements* of the draft DCP (APP-018) is amended as follows (new text in bold):

*(e) contain a community **and landowner** relations strategy*

- 5.39. We anticipate that these matters can be agreed through a Statement of Common Ground between HE and WPIL.

d) Trees, Landscape and Visual Effects

Temporary Works, Works, Scheme and Access Plans

- 5.40. There are direct and potentially indirect adverse landscape impacts affecting WPIL interests as a result of: the Wisley Lane re-routing; gas diversion; temporary works compound and soil storage area (APP-012 and APP-013 Scheme Layout Plans Sheets 1, 2 and 23).

- 5.41. No detailed landscape or arboricultural survey work has been undertaken within the Wisley Airfield site as acknowledged in the ES Appendix 7.3 Veteran trees and Arboricultural Impact Assessment, Chapter 7.5 (APP-089). Section 7.5 of this document shows insert plans of parts of Wisley Airfield where survey work was not undertaken. These inserts show trees around Stratford Brook (Insert 7.1) and a tree belt to the south of the concrete hardstanding and former hangar area (Insert 7.2).
- 5.42. These inserts could be enhanced, as they do not show the full extent of the trees that could be directly impacted by the various works plans or within the temporary compound, which includes topsoil storage. WPIL has the full details of trees on site, including a tree survey (undertaken to BS5837 standards), which can be shared as part of the Statement of Common Ground process. The plan at **Appendix 13**, summarises the site arboricultural survey. Reference to this tree survey and the proposed works plans identifies a number of areas of direct and indirect impacts on trees within WPIL land.
- 5.43. Appendix C Tree Protection Plans 9.31 Sheets 1 and 2, confirms that no trees with WPIL land are currently shown to be protected and would be subject to further review at detailed design.

Work no. 33, 33b – Wisley Lane Diversion

- 5.44. There will be direct impacts at the western end near the slips and Stratford Brook Bridge affecting moderate quality Category B trees as well as some lower Category C trees. The full extent of tree removal has not currently been identified nor any tree protection measures for remaining trees shown in any Tree Protection Plans.
- 5.45. Further east there will be direct impacts and permanent losses of higher quality trees Category A oaks, which form part of an historic remnant hedge line.

Work no. 34 – Wisley Lane to Elm Corner Bridleway

- 5.46. There is potential for direct tree impacts associated with the proposed bridleway link affecting several high-quality category A trees as well as moderate quality category B ash and oak trees.

Temporary Works Compound and Topsoil Storage

- 5.47. The compound extends into areas containing high and moderate quality oak trees to the west and south which could be affected by the temporary storage of site huts, construction machinery and fuels. The area is also identified as a topsoil storage area which could lead to ground compaction and oxygen depletion within root protection areas.

Mitigation Measures

- 5.48. There are no specific mitigation measures identified in either the Outline Construction Environment Management Plan (CEMP) (APP-134) or the ES Appendix 7.3 Veteran trees and Arboricultural Impact Assessment, Chapter 7.5 (APP-089). HE has also stated in the ES that detailed tree survey work and

appropriate mitigation measures would be undertaken during detailed design. This could be undertaken in parallel to the planning application process for allocation A35.

- 5.49. WPIL fully understand the difficulties in identifying every tree that might be affected within the DCO, many of which are not worthy of retention, it is clear that there are numerous higher quality A & B category specimens that are worthy of retention and could be affected beyond work no 33. These trees should be considered as a constraint with the aim of retaining as many of the higher quality specimens as possible. WPIL would seek to ensure that any trees that are not directly affected by the Wisley lane diversion are clearly identified in a comprehensive BS5837 tree survey and given the same level of protection as other Veteran and TPO trees during construction.
- 5.50. The wholesale loss of these trees would create a more open character with subsequent loss of mature tree cover and existing wildlife habitat.
- 5.51. WPIL would therefore seek the protection of all higher quality trees in the temporary works compound and any other specimens that lie outside the immediate work plan 33 area.
- 5.52. It should also be possible to identify mitigation measures to avoid significant impacts on higher quality trees to accommodate the proposed bridleway link with Elm corner (work plan 34). This could be achieved either through a minor diversion of its route outside the root protection area (RPA); utilising no dig construction methods; or combinations of the two.
- 5.53. Any higher quality trees that have to be removed where impacts cannot be avoided should be replaced by semi-mature specimens planted at a ratio of two replacements for every one lost and be covered by a minimum of a 24-month warranty. As a result of chalara ash dieback, any ash losses should be replaced by oak trees.

Safeguards and remedies sought by WPIL in the DCO and related documents

- 5.54. Any compensation for tree losses within WPIL land should be agreed in principle and written into the CEMP (APP-134) and the Landscape and Ecology Management and Monitoring Plan for which it is acknowledged that provision is made in Requirement 6: Landscaping in Schedule 2 Part 1: Requirements of the draft DCO (APP-018).
- 5.55. In the light of the consideration explained in this section, WPIL is seeking to establish through the agreement of common ground with HE the following provisions:
- Mitigation measures for tree loss, including compensation.
- 5.56. WPIL's aspiration is that its Statement of Common Ground with HE will identify the means of delivering and enforcing the safeguards listed above.

6. Effects of the Programme for the Delivery of the New Settlement

- 6.1. The implementation of the DCO has the potential to alter the delivery of Wisley Airfield allocation A35. This can be avoided through ongoing Common Ground and the protective provisions WPIL seeks in the DCO. For ease the timetable specified in the HE Introduction to the Application and Scheme Description (Ref: APP-002) is set out below.

Year	Activity
June 2019	Application for a DCO submitted
Winter 2020	Planned start of works
Summer 2023	Planning opening

- 6.2. The opportunity exists to co-ordinate both the DCO process and Wisley new settlement planning application in 2020 (see **Table 2.1**). This, in part, was a driver for the GBC, SCC and WPIL bid for MHCLG Garden Village status for Wisley new settlement and was recognised during the Examination process of the GBLP.
- 6.3. WPIL's timetable for delivery seeks implementation from 2022, which overlaps with HE's timetable. Accordingly, coordination of works is required to enable the timely delivery of both schemes. WPIL understands that the Ockham Interchange and construction of Wisley Lane through WPIL's site will take place earlier on in the construction process. This will have substantive benefits for all parties and enable the delivery of the GBLP. Construction access and phasing are key planning matters. It is likely that the DCO will be mature from the close of the Examination in May 2020, and hence can inform the consultation and determination of the planning application for Wisley new settlement. This planning approval will include conditions and Section 106 Obligations, which can correspond with the provisions of the DCO. As outlined, it was envisaged that the Appeal Scheme would have included relevant planning conditions to ensure the coordination of the delivery of a new settlement with the DCO (see **Appendices 10 and 12**).
- 6.4. GBC is relying on the delivery of Wisley Airfield to contribute to its housing delivery in the next five years (GBC Housing Trajectory (2019) shows 2022/23 onwards). It is therefore essential that HE continue to work with WPIL to ensure the timely delivery of both schemes to order the ensure the GBLP is implemented effectively. These factors contributed to the Garden Village bid made, to ensure the coordination of the key strategic issues.

7. Conclusion

- 7.1. WPIL is the principal landowner of the Wisley Airfield, which is allocated for a new settlement by allocation A35 of the adopted GBLP 2015-2034. **Appendix 1** demonstrates WPIL's land ownership on the basis of the previous planning application submitted in 2014. Part of the new settlement allocation is affected by HE's DCO application for the upgrading of M25 Junction 10. Allocation A35 is supported by an extensive evidence base, summarised in Section 2, owing also to the planning application submitted in 2014, with Public Inquiry heard in 2017. The supporting material relevant to the DCO, and the provision of a suitable background to the new settlement is provided in the Appendices to this Written Representation.
- 7.2. As outlined in Section 2, the planning application process for the new settlement will be undertaken in 2020, with implementation envisaged alongside the DCO delivery from 2022. The first occupations in 2022/23 will coincide with the practical completion of the Junction 10 works (and are required to accord with the GBLP housing trajectory as indicated by the Garden Village bid submitted by GBC/ SCC). Accordingly, coordination of works is required to enable the timely delivery of both schemes. WPIL understands that the Ockham Interchange and construction of Wisley Lane through WPIL's site will take place earlier on in the construction process. This will have substantive benefits for all parties and enable the delivery of the GBLP. Construction access and phasing are key planning matters. As outlined in Section 6, the DCO will be mature from the close of the Examination in May 2020, and hence can inform the consultation and determination of the planning application for Wisley new settlement. This planning approval will include conditions and Section 106 Obligations, which can correspond with the provisions of the DCO.
- 7.3. WPIL is broadly supportive of the DCO scheme and the necessity to make enhancement to the strategic road network on the A3/ M25 at and around Junction 10. Subject to satisfactory resolution of the issues identified in this Written Representation, the improvements will enable the delivery of the GBLP. Accordingly, WPIL's objective is to support the DCO, subject to amendments to ensure the successful, prompt and robust delivery of Wisley new settlement. The following amendments sought to the DCO, outlined in Section 5 of this Written Representation relate to:
- Land and the avoidance of the need for compulsory purchase;
 - To secure and not prejudice the future primary site access into allocation A35;
 - Construction access, delivery and coordination;
 - Ecology and the need to ensure robust mitigation of any adverse effects including to not prejudice the timely delivery of the required SANG to enable the delivery of allocation A35; and
 - Recognition of the trees on-site and approach to mitigate any loss.
- 7.4. In addition, WPIL requests clarity in respect of highways modelling in respect of the implications arising from the implementation of the DCO, in order to enable the prompt delivery of the GBLP.
- 7.5. WPIL is seeking a legal agreement with HE to ensure the interface between the DCO works and the new settlement are managed appropriately. WPIL is encouraged that HE has confirmed its willingness to enter

into an early agreement to secure the rights sought currently in the draft DCO. Until such an agreement is entered into, WPIL will maintain a holding objection to the compulsory acquisition of its land.

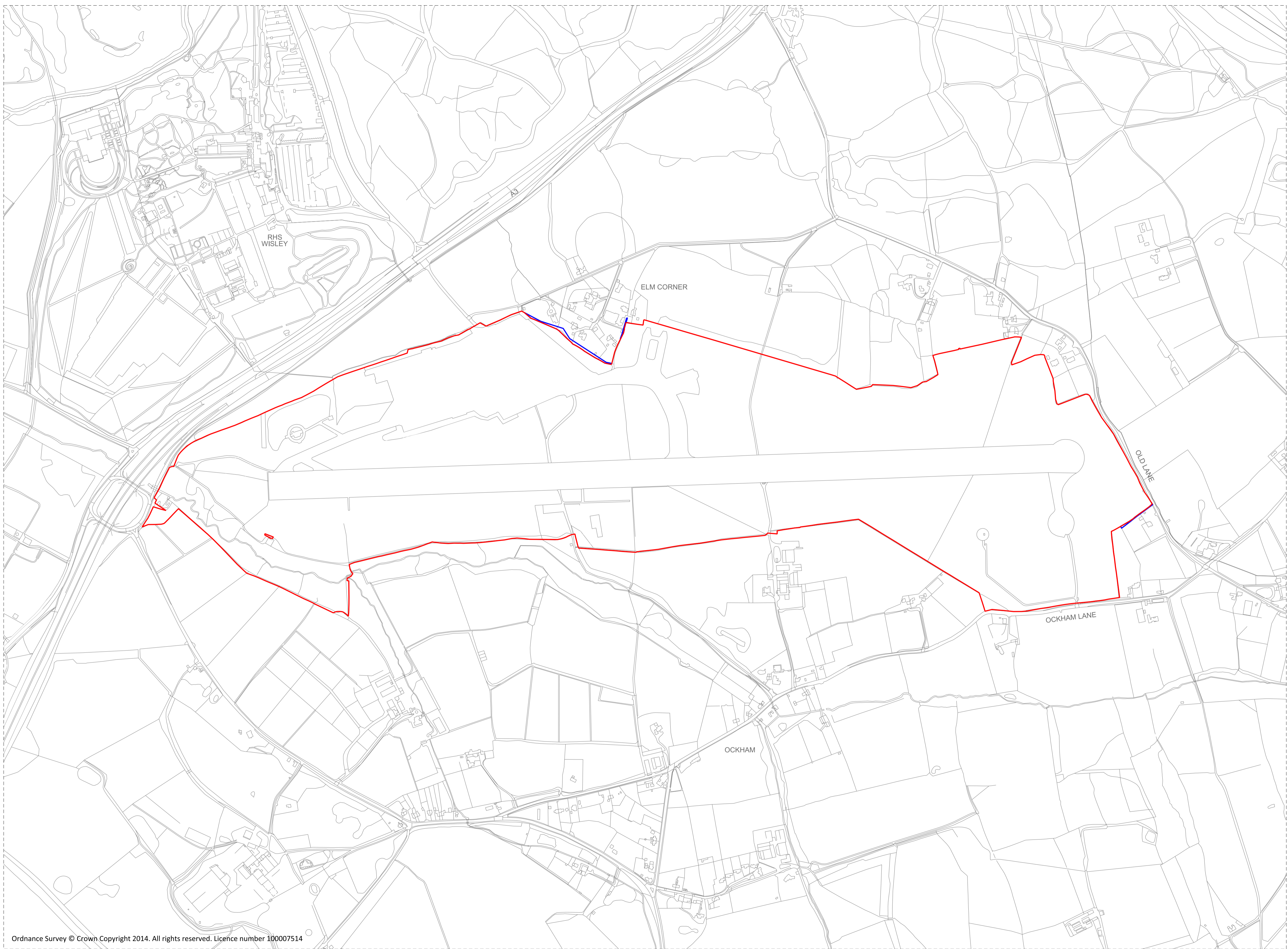
- 7.6. A draft Statement Common Ground in progress between WPIL and HE, the progress on which is summarised in Section 4.

Written Representations

Wisley Airfield



Appendices



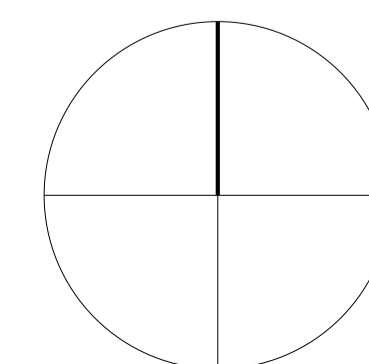
KEY

- SITE REDLINE
- OTHER LAND WITHIN CONTROL OF APPLICANT

NOTE: STRATFORD FARM BOUNDARY INDICATIVE ONLY

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P1 - PLANNING ISSUE
 Amendment

DECEMBER 2014
 Date

WISLEY AIRFIELD MASTERPLAN

Job/Drawing No
1715/P/001 Amendment
P1

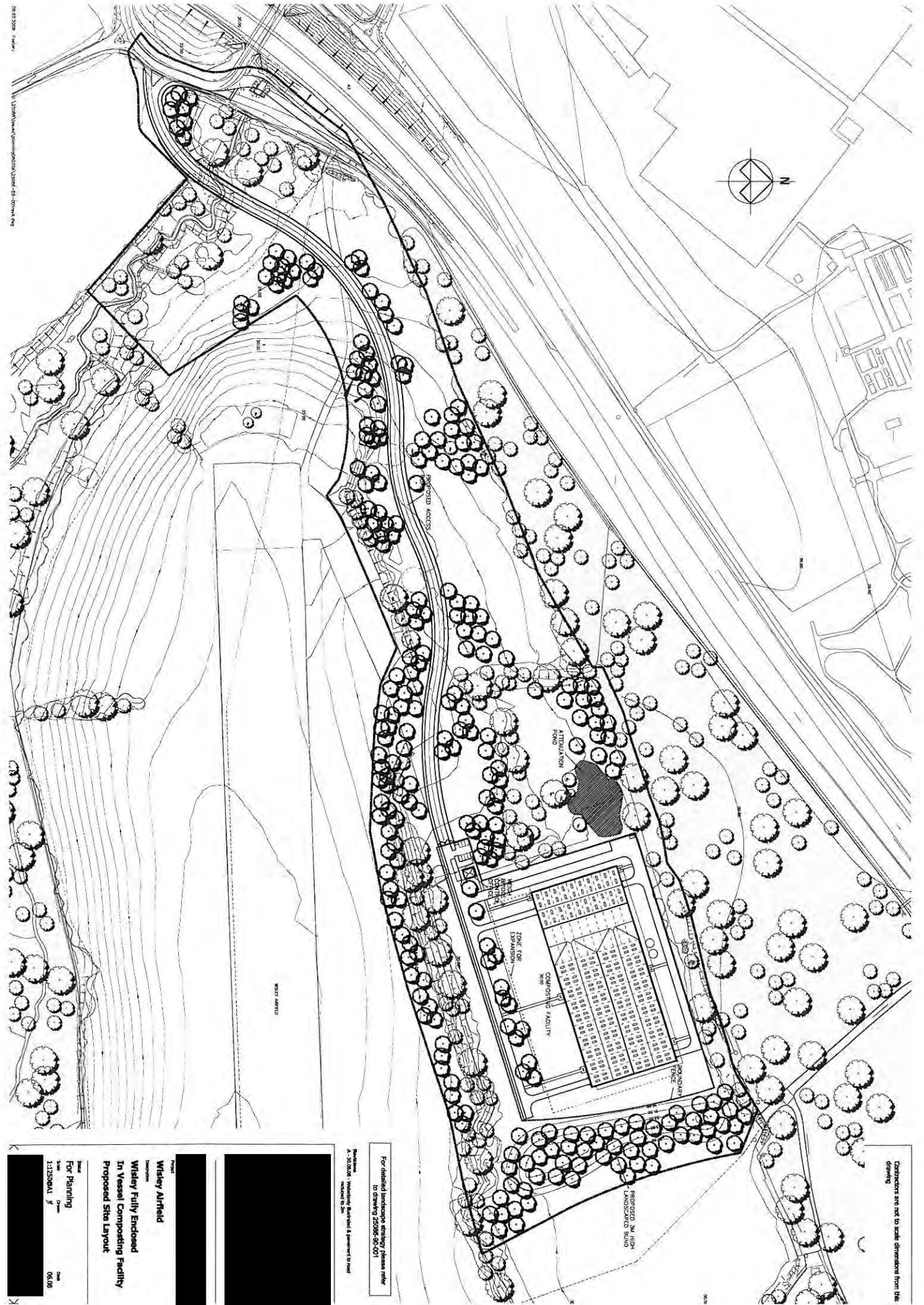
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Do not scale

All dimensions to be checked on site

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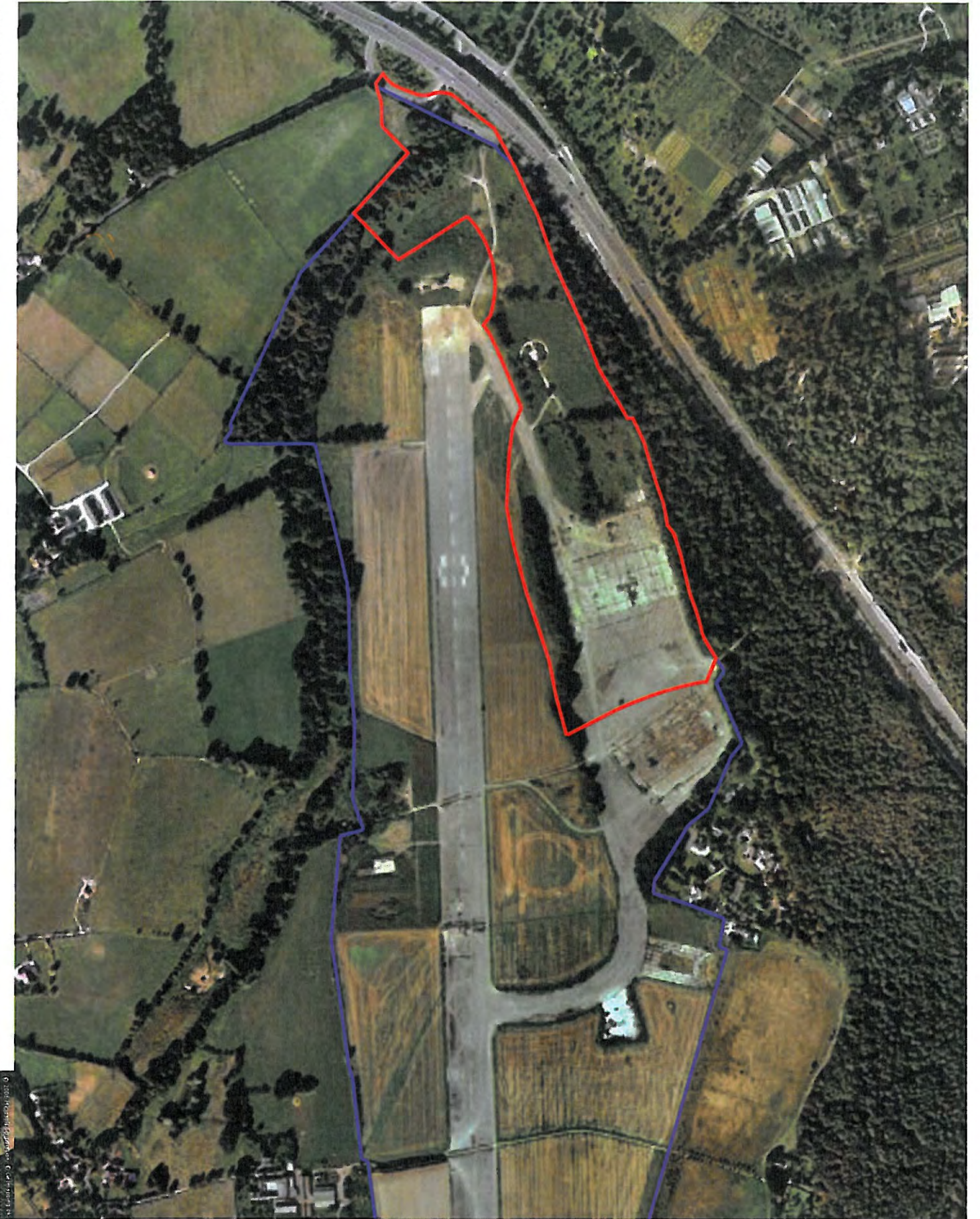
Contractors are not to scale dimensions from the drawing

For detailed landscape strategy please refer to drawing 25/08/05-01-001

Prepared by: [Name] checked by: [Name]

Project:
Witley Airfield
Witley / Fully Enclosed In Vessel Composting Facility Proposed Site Layout

For Planning
 Date: 06/06
 Scale: 1:1000
 Drawing No: 11/2006AL



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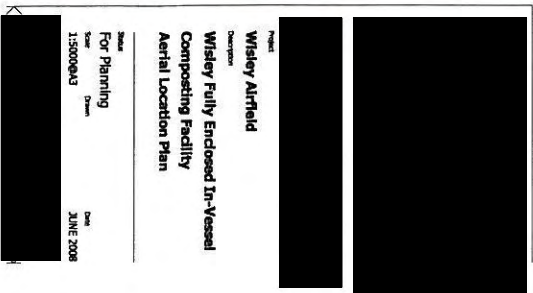


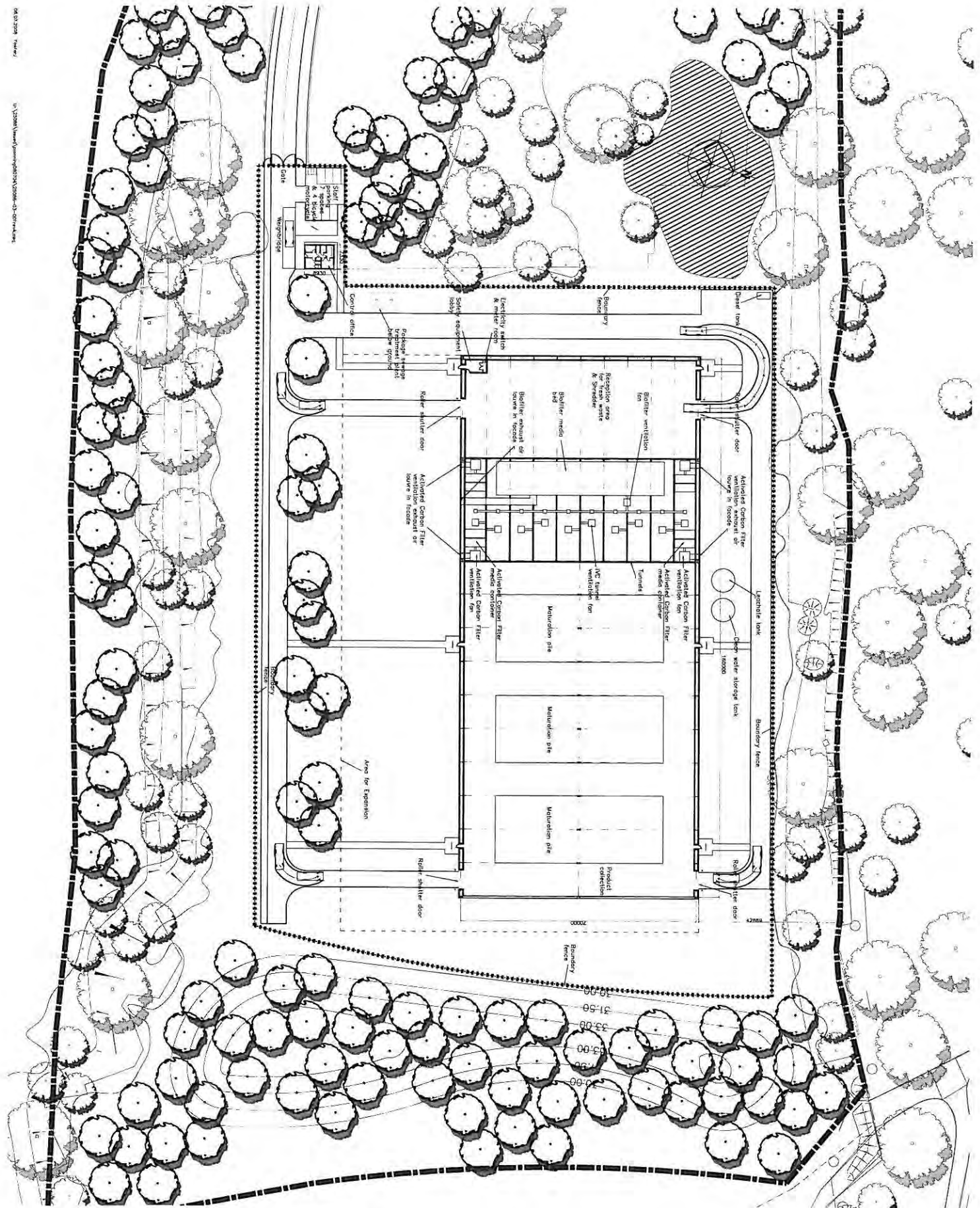
Project:
 Wisley Airfield

Description:
 Wisley Fully Enclosed In-Vessel Composting Facility Aerial Location Plan

Scale:
 1:500000

Date:
 JUNE 2008





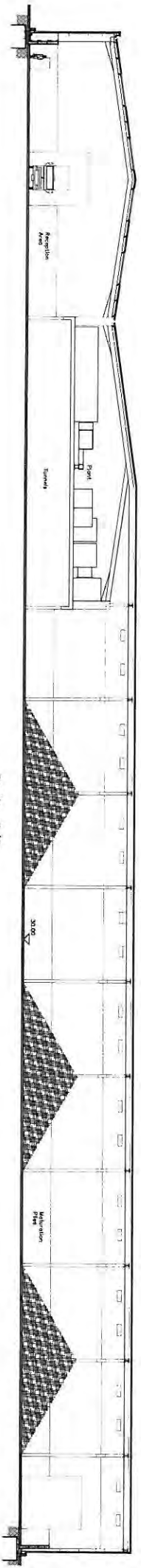
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Revision A - 30.08.24 - Materials Approved & Approved to build
Revised 29.08

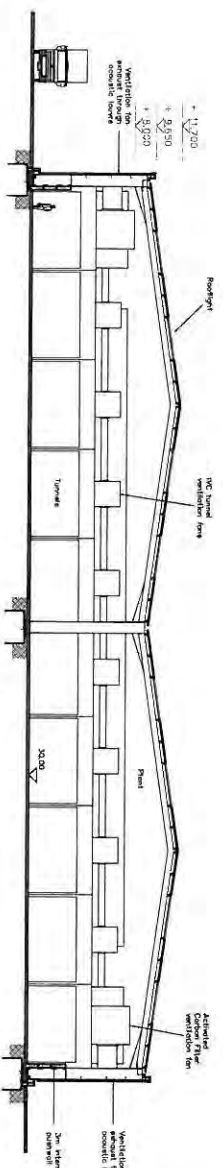
Wisley Airfield
Wisley Fully Enclosed
In Vessel Composting Facility
Ground Floor Plan

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For Planning
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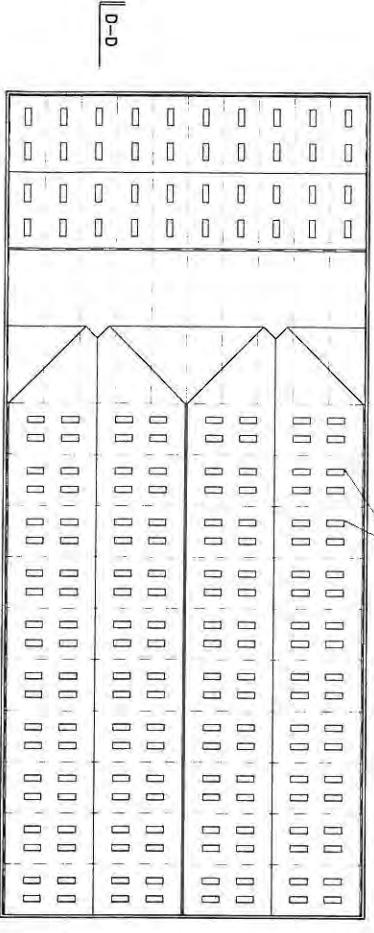
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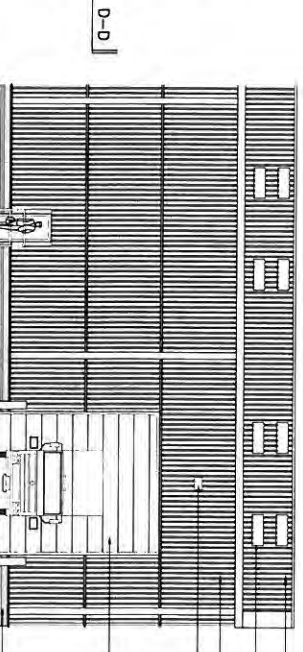
Section D/D
Scale 1:200



Section A/A
Scale 1:200



Roof Plan
Scale 1:500



Part Elevation of
typical vehicle
entrance
Scale 1:100

- Vertically aligned multi-panel coated insulated composite glazing systems
- Vertically aligned multi-panel coated insulated glazing systems with high thermal performance, high building performance
- Sectional vertical glazing and other building doors with vapor barrier
- For fixed semi-enclosed parts with fixed motor parts

Project		Wesley Airfield	
Description		Wesley Fully Enclosed In Vessel Composting Facility Roof Plan, Section A/A & D/D	
Date	For Planning	Date	06/08
06/08	06/08		



Wisley Airfield Garden Village



Wisley Airfield Garden Village

Garden Communities Programme Bid to the MHCLG

November 2018

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1 FOREWORD

Councillor Paul Spooner – Leader of the Council

1.01 Our Submission Local Plan: strategy and sites (2017) addresses the needs for employment, housing, community facilities and other forms of development in the borough, supported by the appropriate level of infrastructure. There is not sufficient previously developed land available to meet all of the borough's development needs. Thus, there has been a need to identify sites which provide the opportunity for sustainable development to be removed from the Green Belt.

1.02 Wisley Airfield is a key site in the local plan. Its allocation has been informed by an up-to-date, extensive and robust evidence base. It partly comprises previously developed land. The site will provide key and much needed housing for the borough, providing circa 2,000 new homes. Moreover, the site will assist with the infrastructure delivery in the borough which will provide benefits for both new and existing residents. This infrastructure will help improve sustainable connections.

1.03 Guildford Borough Council is committed to high quality development. Extensive preparatory work has already been undertaken on the site and this is will inform a masterplan which our emerging local plan requires makes best use of the site, responds to the landscape and context, and incorporates a variety of uses which will best benefit the community.

1.04 The Council consider Wisley Airfield Garden Village to be a strong Garden Community candidate which meets the criteria set out by the Government in their Prospectus. Securing the support of the Government in this way will assist the Council in securing early delivery of homes and infrastructure, and development of the highest standard.

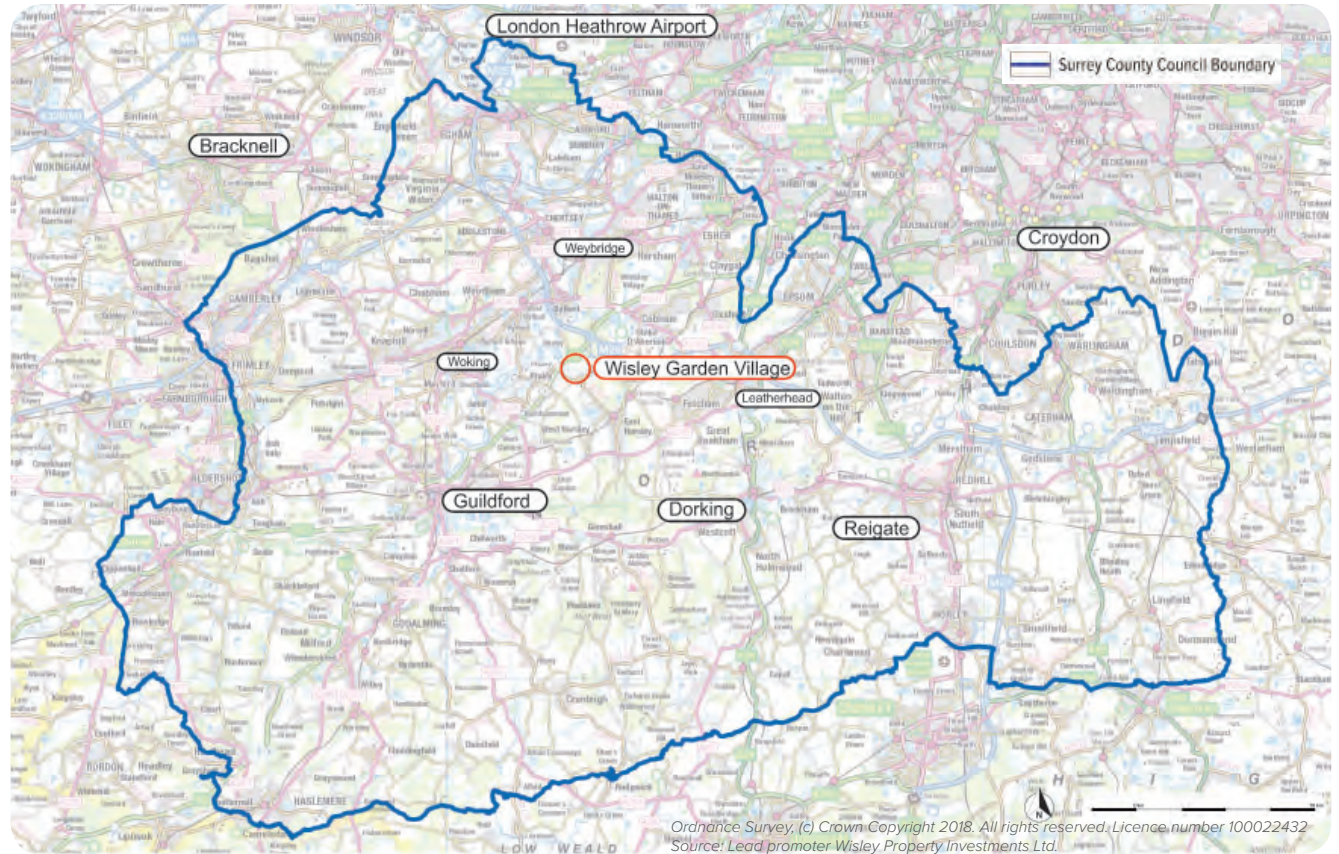












Figure 01 - Site Context

	<p>CLEAR IDENTITY</p> <p>Standalone well-connected and sustainable community with a unique identity.</p>		<p>HEALTHY PLACES</p> <p>Development which is located within extensive open space promoting healthy lifestyles and wellbeing. Provision of new sports facilities and all weather pitches with ancillary facilities for a range of sports.</p>
	<p>SUSTAINABLE SCALE</p> <p>Self-sustaining new village, with a mixture of uses incorporated in to it, including employment, education and healthcare facilities. Comparable in scale to other villages in Guildford borough.</p>		<p>TRANSPORT</p> <p>Delivery of infrastructure and ease of movement across the site focusing on cycling and walking with connections to the wider area via sustainable transport, notably new regular bus services. WAGV is likely to contribute to the delivery of side road infrastructure relating to Highways England's RIS1 M25 Junction 10 improvement works by facilitating the diversion through the WAGV site of the Wisley Lane access to RHS Wisley from the A3 Ockham roundabout.</p>
	<p>WELL DESIGNED PLACES</p> <p>High quality design that creates exceptional public realm, open space and cohesive neighbourhoods.</p>		<p>GREEN SPACE</p> <p>Delivery of significant new public open space on over half of the site including a country park with featured walks and a variety of landscapes.</p>
	<p>GREAT HOMES</p> <p>Delivering, quickly, a full range of beautifully designed homes including a range of sizes and tenures tailored to the local need, notably two- three bedroom dwellings.</p>		<p>LEGACY AND STEWARDSHIP</p> <p>Creation of a Community Trust that supports asset endowment and place making activities led by the local community</p>
	<p>STRONG LOCAL VISION AND ENGAGEMENT</p> <p>Driven by 6 years of local engagement which has shaped the proposal. Aims to create a cohesive community which interconnects with the wider borough.</p>		<p>FUTURE PROOFED</p> <p>Sustainable, adaptable and resilient design, for example, enabling mixed uses in the local centre and employment areas and the inclusion of sustainable sources of materials and waste minimisation.</p>

2 INTRODUCTION

2.0.1 This Garden Village Bid has been produced by Guildford Borough Council (GBC) with information provided by the lead Site Promoter of Wisley Airfield Garden Village. This document responds to the Ministry of Housing, Communities and Local Government’s invitation of bids for ambitious, locally supported, proposals for new garden communities at scale. This bid is supported by all the respective Site Promoter, Surrey County Council (SCC) and the Enterprise M3 Local Enterprise Partnership (LEP).

2.1 The Submission

2.1.1 This Garden Village is made up of the following:

- Bid Document including:

- Demonstration of how the Wisley Airfield Garden Village meets the Prospectus criteria;

- Delivery Trajectories and Proposal Viability;

- Request for Government assistance;

- Location Plan;
- Strategic Framework Plan;
- Land Ownership Plan; and
- Plan showing SCC and LEP Area;

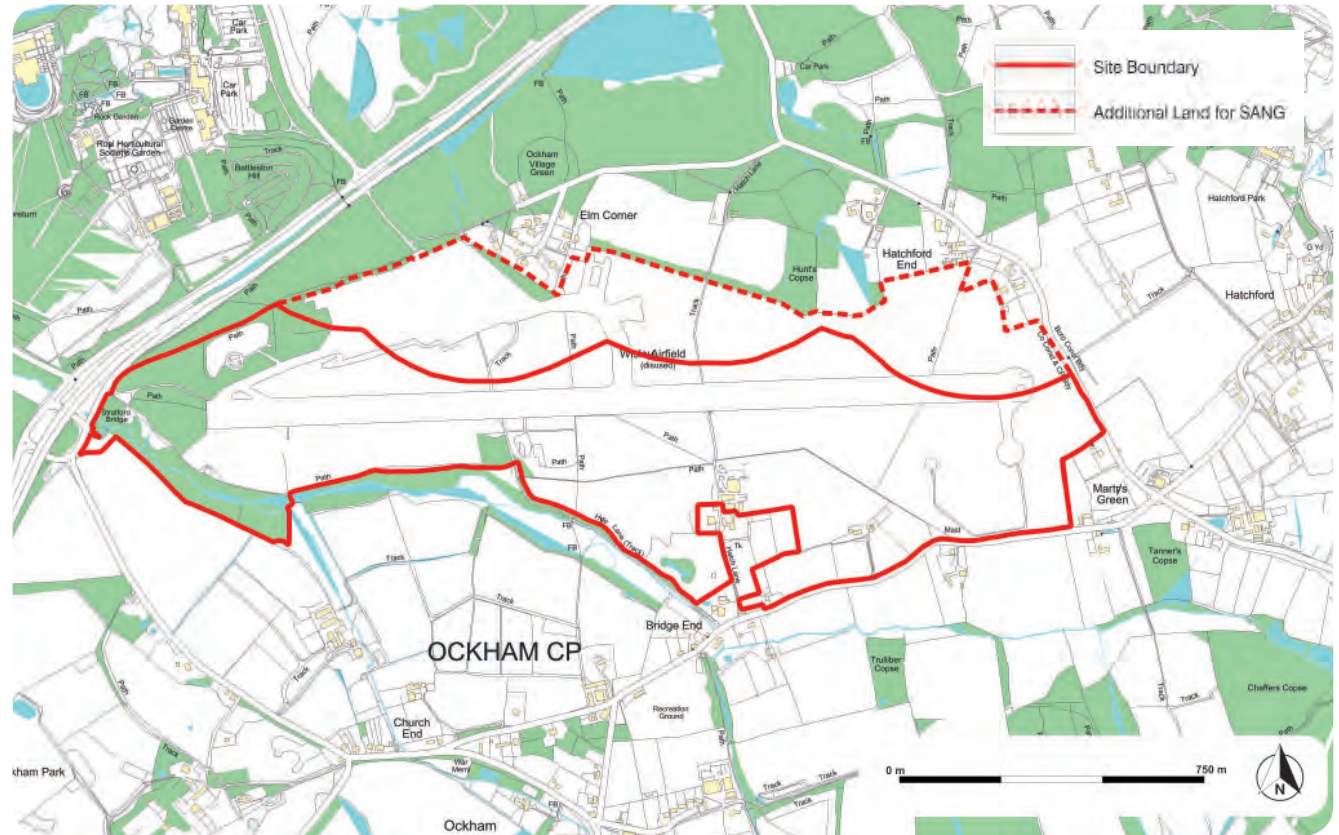


Figure 02 - Site Boundary

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Source: Lead promoter Wisley Property Investments Ltd.

OS Co-ordinates for centre of site: TQ075575 (Easting: 507568, Northing: 157525)

2.1.2 As outlined within this document, GBC alongside SCC, the LEP and Site Promoter consider the Wisley Airfield Garden Village to meet the criteria set out in the Prospectus and the delivery of this development will result in a sustainable new settlement within the Borough resulting in social, economic and environmental benefits. These benefits will have a positive impact within the Borough and the wider region.

3 THE PROPOSALS: WISLEY AIRFIELD GARDEN VILLAGE

3.01 The proposal for a new Garden Village at Wisley Airfield is included within the emerging Local Plan being developed by GBC. The emerging Local Plan is currently at an advanced stage of examination and due for adoption in early 2019 (the 'local plan'). At the close of the hearing sessions in June-July 2018, the Inspector's interim conclusions included that the inclusion of the allocation at Wisley Airfield Garden Village was sound. The Garden Village has been demonstrated to be deliverable and viable by the evidence base prepared by GBC and is supported by further evidence prepared by the Site Promoter in support of the Local Plan and the planning application process.

3.02 The lead Site Promoter submitted a planning application for a large proportion of the Wisley Airfield Garden Village allocation area in December 2014. The application was refused in 2016 and was subject to planning appeal recovered by the Secretary of State which was dismissed. The key reason for refusal remaining at the time of the appeal was the site's designation as Green Belt, with design and density and impact on the Strategic Road Network also criticised. A position statement was agreed by the lead Site Promoter with Highways England however this was too late to inform the Inspector's report. This indicates that the concerns expressed by the Inspector and Secretary

of State about the adequacy of the Strategic Road Network highway infrastructure is capable of being resolved, if it has not already been. The appeal did however demonstrate that the proposals were deliverable and viable and would result in significant benefits. Through the emerging Local Plan the entire allocation site will be released from the Green Belt and the Local Plan evidence base has demonstrated that exceptional circumstances exist to justify this. The allocation is for a larger area than the appeal site, allowing the opportunity for a new scheme to present a different density and height of development. Following adoption of the Local Plan and release of the site from the Green Belt, GBC are confident that an appropriate planning application for Wisley Airfield Garden Village can achieve planning permission.

3.03 The principle components for Wisley Airfield Garden Village are outlined in emerging Local Plan (Policy A35) and include:

- Approximately 2,000 homes (C3), including some specialist housing and self-build plots;
- Approximately 100 sheltered/Extra Care homes (C2 use);
- 8 Gypsy and Traveller pitches;
- Approximately 1,800 sq m of employment floorspace (B1a);
- Approximately 2,500 sq m of employment floorspace (B2/B8);

- Approximately 500 sq m of comparison retail (A1);
- Approximately 600 sq m of convenience retail (A1);
- Approximately 550 sq m services in a new Local Centre (A2 –A5);
- Approximately 500 sq m of community uses in a new Local Centre (D1);
- A primary school (D1) (two form entry); and
- A secondary school (D1) (four form entry, of which two forms are needed for the housing on the site and two for the wider area).

3.1 Wisley Airfield Community Trust (WACT)

3.1.1 The Proposals include the formation of a Community Trust which will be established and resourced by the lead Site Promoter and managed by a board of Trustees. The Trust will support the new community and provide public benefit to existing and new residents including:

- Long term ownership and maintenance of the on-Site Suitable Alternative Natural Greenspace (SANG), and delivery of wardening activity in support of the Thames Basin Heaths Special Protection Area;
- Delivery of permanent provision of frequent bus services for the new community to key local settlements and railway stations including “gap” subsidy funding (where required);
- Provision of community development activities to assist in building a strong, healthy and cohesive community of which everyone who lives, works or studies at Wisley Airfield Garden Village can feel a part of;
- Ownership and management of community assets, including potentially the operation of a homeworking support hub (co-working facility) and flexible employment accommodation to encourage on-site employment and reduce the need for travel.
- Management of an endowed asset base to secure long term funding of its operational duties, aims and objectives

3.1.2 The Trust is proposed to be constituted as a Community Interest Vehicle, most likely with charitable status. Its Trustees are proposed to be drawn from a range of interest groups relevant to the new Garden Village and those with the skills and experience to deliver initial placemaking during the Trust’s early years. Trustees could include short term appointments made by developers during the build out phases of the development, along with for example, individuals nominated by Local Planning and Highway Authorities, and environmental / ecology agencies. In addition the Trust will contain an executive structure and function to manage activities on behalf of the Trustees, and to directly commission and fund specialist providers to deliver services or where appropriate to employ staff to deliver the services itself.

3.1.3 The Trust and its activities will be funded and resourced in the early years directly by developers, and will then be endowed with income generating assets able to deliver sufficient annual income to support the Trust in perpetuity. Funding sources are also to include a ground rent charge to fund place-making activities and to give residents a stake in, and sense of ownership of, the Trust and its activities. To support the Trust, it is proposed that office, and/or “touchdown space” will be provided for the use of the Warden (employed to manage the SANG) and for Surrey Police community policing team. These facilities could for example be co-located with the Trust’s office at, for example, a part of the Village Hall.

3.1.4 The Trust will therefore ensure that the Wisley Airfield Garden Village is future proofed, able to adapt over time and well placed to create a positive and sustainable legacy and stewardship.

3.1.5 A full suite of Trust formation documentation and strategic mechanisms for the funding and operation of the Trust have been agreed with GBC and SCC via a completed s.106 agreement for the Appeal scheme.

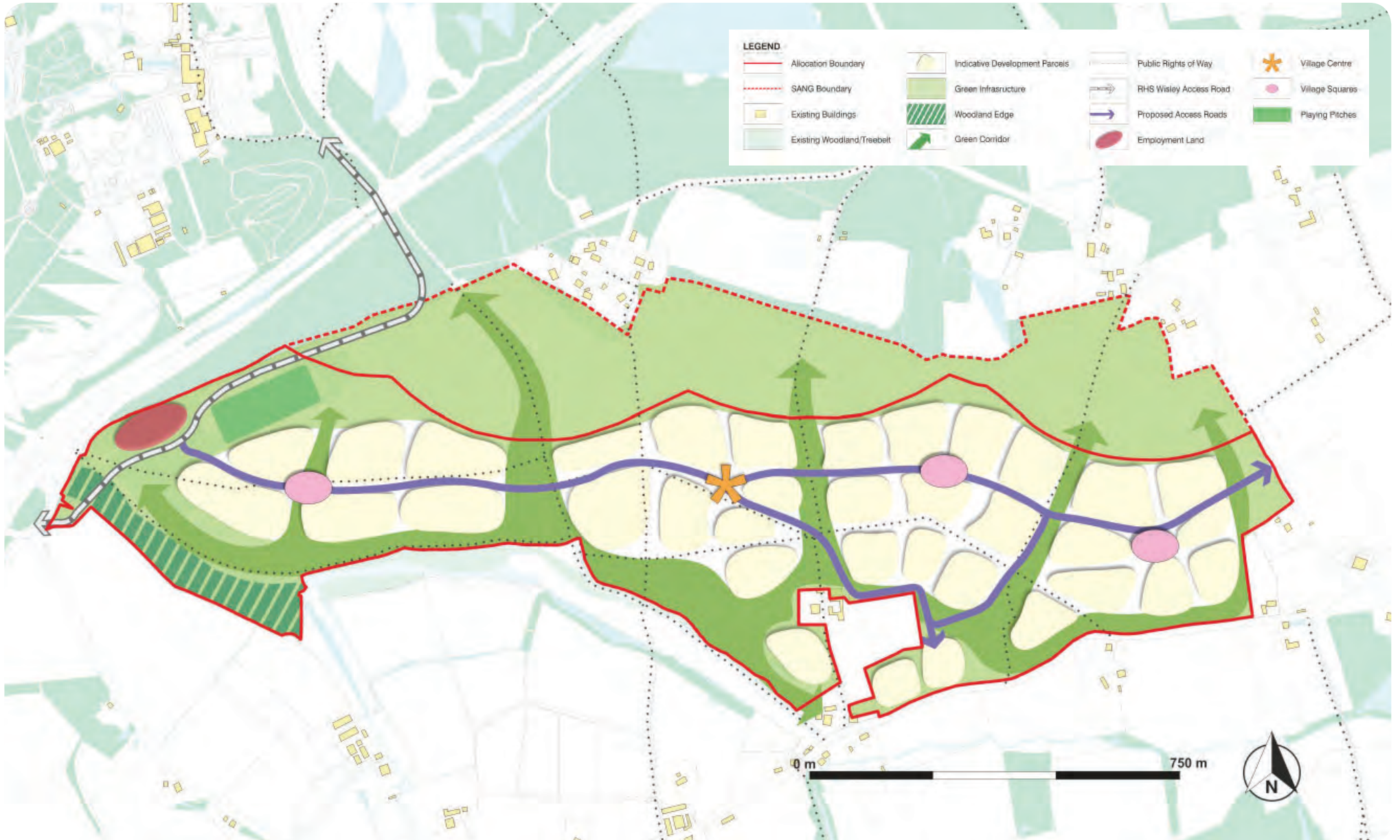


Figure 04 - Strategic Framework

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Source: Lead promoter Wisley Property Investments Ltd.

3.2 Meeting Government Aims

3.2.1 The Garden Communities Prospectus sets out a number of criteria which submission proposals must meet in order to be a successful Garden Communities bid. The following section outlines how the Wisley Airfield Garden Village (WAGV) meets the relevant criteria.

3.3 Scale

Assessment Criteria	Wisley Airfield Garden Village criteria satisfaction feature
Significant contribution to closing the housing supply gap	WAGV comprises 32% of the total housing delivery from strategic sites and 13% of overall housing delivery within the Local Plan. There is a history of past under delivery within the Borough and the delivery of WAGV will help constitute a step change in delivery of housing in the Borough.
Garden Village with capacity of 1,500 - 10,000 homes	WAGV has a capacity of approximately 2,000 homes.
Demonstrating exceptional quality or innovations	GBC are committed to achieving exceptional quality of design to create a cohesive and vibrant neighbourhood at WAGV. High level Masterplanning is currently being undertaken by consultants, on behalf of GBC, of all the strategic sites across the borough. This will form the evidence base for a Strategic Development Framework Supplementary Planning Document, which will form the basis of any future development. Through the emerging Local Plan GBC has secured the requirement for developers to masterplan strategic sites including WAGV and for these to be subject to Design Panel Review and engagement with the local community.
Development on predominantly brownfield sites	The WAGV site, including its proposed SANG area, contains some 74 acres of previously developed land being the runway hardstanding and trackways serving the former airfield operations, making it the largest area of brownfield land within Green Belt, in Guildford Borough. Outside of the urban areas of the Borough, there are few areas of substantial previously developed land, making the WAGV site unique.
Being in an area of particularly high housing demand	Guildford Borough is located within one of the most expensive areas outside of London with median house prices of £459,543 (2018) ¹ . The Borough has an affordability ratio of 10.92 ² and affordability has decreased significantly over the last 10 years. GBC have included ambitious housing delivery projections in the emerging Local Plan and WAGV forms a key element of this. WAGV will include 40% affordable housing in a range of tenures and will also assist in ensuring that all groups of the local population can afford to live in the Borough.
Discrete new settlement or transformational development of an existing settlement	WAGV will take the form of a largely self contained, sustainable community providing all of the services and facilities required for day to day life alongside education, community and leisure facilities, and retail and employment opportunities. The WAGV will provide new high quality open space and integrated walking and cycling routes through the development, all supported by the new bespoke and regular bus service, connected to local railway stations and service centres.
Sufficient scale to be largely self-sustaining and genuinely mixed use	WAGV is of a scale which will allow the development to be largely self sustaining including the provision of necessary day to day services and facilities to achieve this. The development will be genuinely mixed use, as outlined by the policy requirements of the emerging Local Plan, providing educational and leisure facilities, a village centre with retail provision and employment opportunities including support for home working.

¹ Land Registry August 2018

² West Surrey SHMA: Guildford Summary Report October 2015 pg 13.



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Source: Lead promoter Wisley Property Investments Ltd.

Figure 05 - Wisley Airfield Brownfield Land

3.4 Key Facts



TRANSPORT IMPROVEMENTS

Homes delivered as soon as 2021

Historic average housing delivery in Borough only 272 homes per annum

HOUSING DELIVERY

Access to RIS Wisley enhanced

Frequent bus service



50 ha of country park for the borough

Leisure & Sports facilities

COMMUNITY FACILITIES

Largest PDL site in GBC Green Belt

£57m net additional GDV per annum



Figure 06 - Key Facts

3.5 Strategic Fit

Assessment Criteria	Wisley Airfield Garden Village criteria satisfaction feature
Offer opportunities for significant long-term housing growth in a local area	<p>WAGV will provide approximately 2,000 new homes in the Borough which represents a significant amount of new housing compared to past delivery rates. The current delivery trajectory [see pages 18 & 19] shows the delivery of new homes over a 12 year period with a maximum delivery rates of 200 homes per year, which is the equivalent of 30% of the annual housing requirement. In the context of the affordability of the Borough and the Council’s ambition to increase housing delivery and support economic growth to meet identified needs, this is a significant contribution.</p> <p>Also outlined on pages 18 & 19 is an accelerated delivery trajectory which could be achieved should WAGV be successful in its Garden Village bid. This would see more homes being delivered an early stage in the plan period and a shorter overall build period.</p>
Offer opportunities for significant long-term economic growth in a local area	<p>WAGV will contribute to the provision of long term economic growth in a number of ways:</p> <ul style="list-style-type: none"> • The delivery of a mix of tenures and sizes of homes, including affordable housing, which will ensure that the Borough can attract and retain an economically active and skilled population. This is particularly important for younger groups of the population who are frequently priced out of the Borough; • The delivery of new transport infrastructure including onto the strategic and local road networks and sustainable transport to support economic growth; • Delivery of new jobs within the Garden Village including at dedicated employment site and as well as part of the retail, education and community elements of the proposals; • Delivery of direct and indirect jobs associated with the construction of the Garden Village; <p>The total jobs estimated to be provided as estimated by the site promoter are as follows:</p> <ul style="list-style-type: none"> • 180 construction jobs per annum, • 775 permanent direct on site jobs • 1,410 permanent indirect jobs (on and off site) <p>WAGV is estimated to be contribute £57 million per annum net additional GVA in addition to the wider economic benefits provided by the delivery of new homes and infrastructure.</p>
Fit with housing need for the housing market area	<p>WAGV will deliver a range of new homes meeting the needs of the housing market area including:</p> <ul style="list-style-type: none"> • Approximately 1,200 market homes in a range of sizes; • Approximately 800 affordable homes including a mix of sizes and tenures including affordable home ownership and affordable rent; • Specialist accommodation for the elderly population; and • Traveller pitches accommodation.
Priority for proposals which respond to housing need in high demand areas / meet local housing need / go above housing need	<p>This has been tested through the preparation of the Local Plan and its evidence base and will be secured through emerging policies. The lead Site Promoter is committed to ensuring that the proposals meet the needs of the housing market area.</p>

Wisley Airfield Garden Village

Garden Communities Programme Bid to the MHCLG

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<p>Fit with wider strategies to support economic growth and increase productivity</p>	<p>The Enterprise M3 LEP is supporting this Garden Village Bid and, as outlined in their supporting letter, is clear that the delivery of the WAGV will support their aspirations for growth within the area. The LEP identifies that a lack of availability of housing, low affordability and under investment in transport infrastructure can lead to the suppression of economic growth and this is an issue for the LEP area. The delivery of the WAGV will assist in addressing these issues within the Borough.</p> <p>In addition, the delivery of retail and employment floorspace within the Garden Village will assist the Council in meeting identified needs within the Borough.</p>
<p>Ambitious proposals which create a variety of new jobs</p>	<p>As outlined in Section 3 the proposals include the delivery of new B1, B2, B8 use floorspace alongside A1 and A2-A5 floorspace. Whilst the exact use of these spaces will be decided by the market, the range of employment use classes to be provided will ensure a variety of new jobs supplemented further by jobs created in educational and community facilities and in managing the new open spaces.</p> <p>Proposals also include provision of flexible office accommodation and co-working accommodation with further business centre support for homeworking and remote working. This is likely to take the form of premises at the Village Centre, at the heart of the community.</p>
<p>Timely delivery of infrastructure</p>	<p>The delivery of infrastructure is outlined in the proposed Trajectory [pages 18 & 19] and demonstrates that infrastructure will be delivered throughout the build period and not confined to the later stages. This can be further enhanced and infrastructure delivery brought forward should WAGV be successful in this bid.</p>

Economic Benefits

The scheme will provide direct and indirect job opportunities through both the office, retail and industrial space and the residential and social infrastructure uses. These include temporary jobs created during the construction period as well as permanent jobs provided once the operational phase has begun.

Construction Jobs

180 average construction jobs per year (including indirect off-site jobs) over 12 years

A new residential population and those workers in the office, retail and industrial space will generate Gross Value Added (GVA).

Permanent Jobs

775 permanent direct (on site) jobs

1,410 permanent direct and indirect jobs (on and off site)

£57 million per annum net additional GVA (GVA associated with the additional number of jobs)

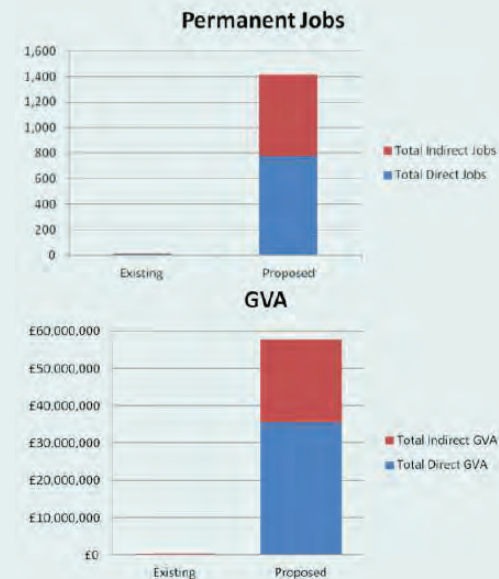


Figure 07 - Economic Benefits

Source: Lead Promoter Wisley Property Investments Ltd
Credit: Savills Economics

3.6 Locally-led

Assessment Criteria	Wisley Airfield Garden Village criteria satisfaction feature
The backing of local authorities in which they are situated	GBC is committed to delivering a sound Local Plan so that need can be met and growth can be guided to the most sustainable locations and provided with the necessary supporting infrastructure. This site is necessary to achieving a sound Local Plan which GBC is intending to adopt in early 2019. GBC is committed to ensuring that all development coming forward as a result of the emerging plan is of the highest design quality and is delivered with all necessary supporting infrastructure delivered in a timely manner. In order to help achieve these outcomes GBC is submitting this bid in order to secure the maximum benefits to the local communities and wider area. SCC has also provided a letter of support for this bid. This clearly demonstrates that the sustainable delivery of WAGV has the backing of the key local authority stakeholders in the area.
Priority to proposals which demonstrate collaboration across local authority boundaries	WAGV is located close to the boundary of neighbouring Woking and Elmbridge Borough Councils. Guildford and Woking sit within the same housing market area and have therefore cooperated throughout the preparation of the emerging Local Plan. The Local Plan Inspector's interim findings are that the Council has successfully demonstrated that it has discharged its duty to cooperate and that the emerging plan is effective.
Desirable for proposals to have the support of the Local Enterprise Partnership	As outlined above the Enterprise M3 LEP support this Bid and have provided a letter of support (see attached).
Set out how the community is being, or will be engaged	GBC has already undertaken extensive community engagement over a six year period in respect of progressing the proposals at WAGV through the emerging Local Plan. In addition to this, community engagement has also been undertaken as part of the previous planning application. This has taken a number of forms including:
Strategies for continued community engagement and involvement	<ul style="list-style-type: none"> • Consultation on the emerging Local Plan; • Website; • Public Consultation events undertaken in respect of the Application and Appeal; and • Community meetings. <p>There are also a number of future community engagement opportunities planned in respect of WAGV including:</p> <ul style="list-style-type: none"> • Consultation as part of the Council led Masterplanning for strategic sites which is currently underway as part of preparation of the Strategic Development Framework Supplementary Planning Document (SDF SPD) and the developer led Masterplanning as required by emerging local plan policy D1; and • Community engagement prior to the submission and during the planning application process for WAGV.
Local communities must have a meaningful say in developing the proposal from design to delivery	<p>GBC and the lead Site Promoter are committed to ensuring that the community can meaningfully engage with the development of the proposals for WAGV at all stages of its development. This is illustrated by the extensive public engagement already undertaken.</p> <p>This will include further future engagement both as part of preparation of the SDF SPD as required by emerging Policy D1 in the developer led Masterplanning and through the future submission of a planning application (s).</p> <p>The proposed Community Trust, as described in section 3.1, will also secure the ability of the local community to continue to influence the development of WAGV through place making activities secured by the Trust. This provides confidence that the community will be involved in how WAGV is developed over its lifetime.</p>

A STRATEGIC ECONOMIC PLAN FOR THE ENTERPRISE M3 AREA 2018 – 2030

A globally competitive region, unique for its knowledge, digital & design based economy



enterprise **m3**
Driving prosperity in the M3 corridor



Figure 08 - EM3 Enterprise Zone Map

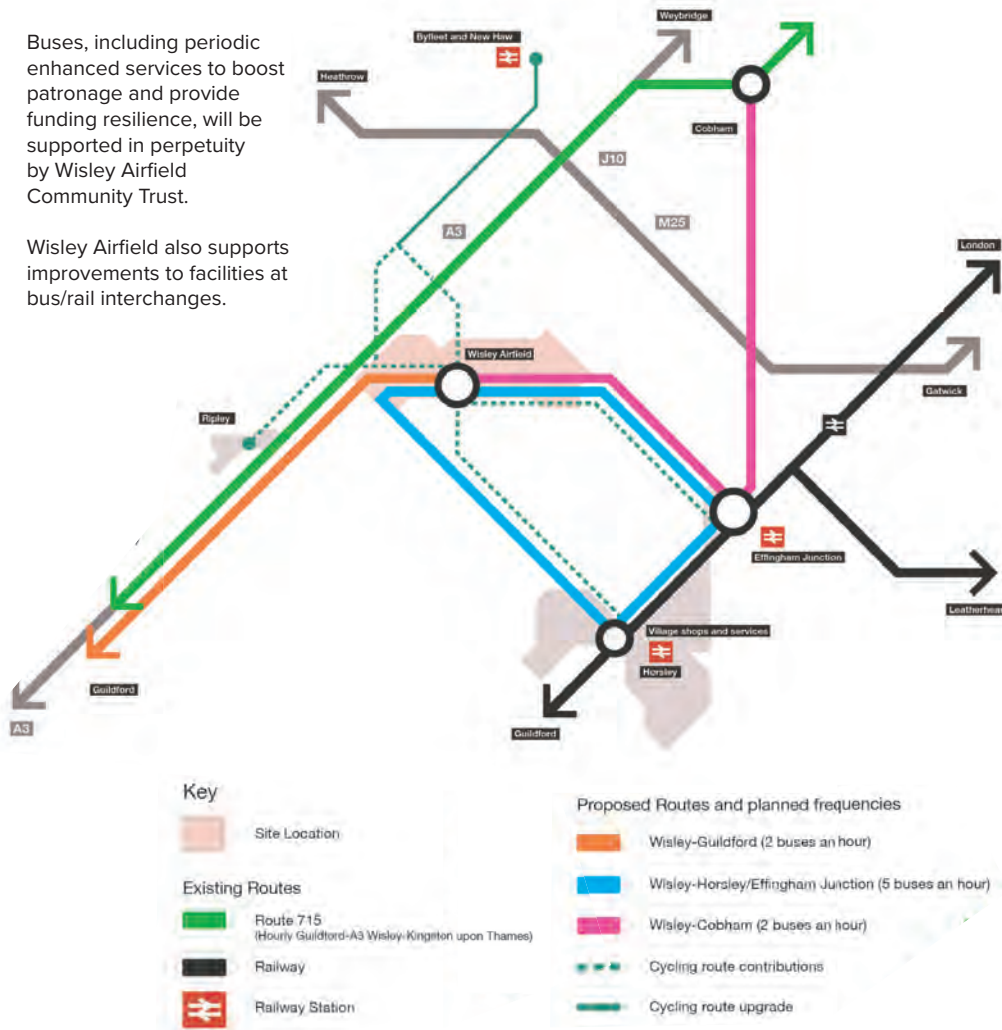
3.7 Garden Community Qualities

Assessment Criteria	Wisley Airfield Garden Village criteria satisfaction feature
Clear identity	<p>GBC's vision for WAGV is to create a sustainable self-contained new settlement within the Borough which can provide all of the services and facilities required to support the community. WAGV will deliver high quality design creating its own identity resulting in cohesive and vibrant neighbourhoods, open spaces and public realm focused around a new village centre. This vision is shared by the lead Site promoter.</p> <p>The vision for the WAGV will be secured in the first instance through the emerging Local Plan and Council led Masterplanning exercise in the form of the SDF SPD. The Community Trust will secure the long term vision.</p> <p>The Proposals will provide adaptive and resilient physical infrastructure and bespoke high quality architecture and public realm. WAGV will be stand alone and self-contained allowing its identity to be developed over time and shaped by its community.</p>
Sustainable scale	<p>WAGV will provide approximately 2,000 new homes and can provide the services and facilities required to support the day to day needs of the new community. A mix of uses will be provided to support retail and wider employment alongside educational and leisure facilities. The scale is sufficient to support this mix of land uses and to be sustainable. This has been demonstrated through the evidence supporting the emerging Local Plan.</p>
Well-designed places	<p>WAGV will include a mix of uses including a range of employment and retail services supported by community, educational, healthcare and leisure facilities. This will be provided in the setting of significant public open space provided on up to half of the wider site area.</p>
Great homes	<p>WAGV will provide for a diverse range of sizes and tenures of both market and affordable homes, reflecting the need identified in the Strategic Housing Market Assessment. This will provide a genuine mix of design and architectural styles to ensure that all members of the Borough's community can find a place to live here, including those from the Gypsy and Traveller Community. This also includes self build plots and specialist homes for the elderly. The mix, particularly of affordable homes, will be secured by the Council through the future outline planning application.</p>
Strong local vision and engagement	<p>As outlined above (see section 3.5) the involvement of the existing and new community at WAGV is key to the development of the proposals. Significant engagement has already taken place and will be supplemented by future consultation, Masterplanning and design panel. This will be continued throughout the construction period and wider life of WAGV by the Community Trust.</p>
Transport	<p>The proposals focus on securing opportunities for walking, cycling and sustainable transport (supported in perpetuity by the community trust) through the development itself and into the wider Borough. This will provide sustainable access to on and off site locations for employment, leisure and wider services. WAGV also presents the opportunity for wider strategic sustainable transport improvements and to the local and strategic highway networks.</p>
Healthy places	<p>Through the proposed public open space and walking and cycling links WAGV will promote healthy lifestyles and wellbeing. The public open space, proposed to form half of the site area, will provide a range of walking routes, play and leisure facilities and sports pitches providing a range of options for the community. Alongside the clear legible walking and cycling routes through the development and into the wider area, the use of sustainable forms of travel will be maximised.</p>
Green space	<p>The proposals include formal and informal open spaces including playing fields, children's playing space and the SANG. The SANG is specially designed to encourage use by the local community and to appeal to a range of people by catering for a mix of outdoor activities. The proposals will also provide new habitats for wildlife. Open space is a vital element of the proposal and WAGV can deliver a high quality mix of open space providing recreational and ecological benefits.</p>
Legacy and stewardship arrangements	<p>As set out above the key legacy and stewardship arrangements for the site will be through the Community Trust which will manage placemaking activities as well as owning assets to generate income. The Trust will have a range of functions all focusing on achieving a sustainable development with a vibrant community that have a genuine say in the development of WAGV and its ongoing success as a sustainable new settlement.</p>
Future proofed	<p>The scale of the proposals at WAGV are sufficient to allow for a mix of house types and sizes and a mix of uses, public and open spaces and buildings to make the development resilient to change. The spaces can be adapted to suit future changes in the needs of the community. The inclusion of significant areas of open space and promoting sustainable transport will assist in remaining resilient and adaptive to the impacts of climate change in line with emerging policy D2.</p>

Strategic Transport Improvements - Bus & Cycling

Buses, including periodic enhanced services to boost patronage and provide funding resilience, will be supported in perpetuity by Wisley Airfield Community Trust.

Wisley Airfield also supports improvements to facilities at bus/rail interchanges.



Strategic Transport Improvements - Highways

The new community will be directly served from the A3 at Ockham Interchange.

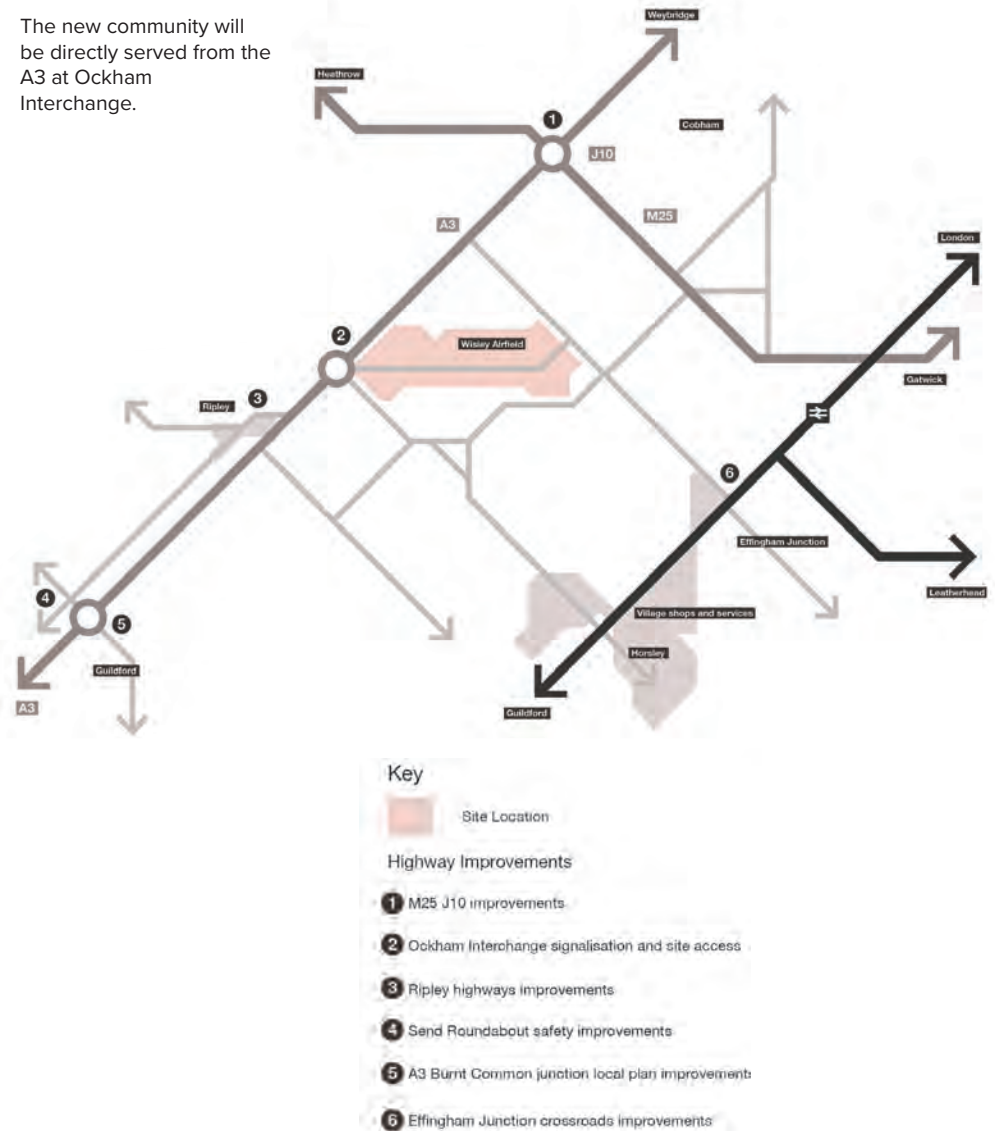


Figure 09 - Transport Map
Source: Feilden Clegg Bradley Studios/WSP

Source: Lead promoter Wisley Property Investments Ltd.

3.8 Delivery & Viability

Assessment Criteria	Wisley Airfield Garden Village criteria satisfaction feature
Delivery models and timescales	<p>As outlined in the Trajectory [pages 18 & 19], WAGV has the potential for clear phases of housing and infrastructure delivery. The delivery of homes and supporting on and off site infrastructure has been coordinated throughout the build period to ensure the development is as sustainable as possible through this period.</p> <p>There are opportunities both for WAGV to be delivered by an enabling master developer/site promoter and for phases of development to be purchased by a range of different type and size of housebuilders, including SMEs, to deliver. This has been taken into account when outlining both the current and accelerated delivery trajectories for the development.</p>
Infrastructure requirements	<p>The range of infrastructure required to support WAGV and its proposed delivery timescale is outlined within the Trajectory (see pages 18 & 19). The provision of infrastructure will be secured through the emerging Local Plan and through future Section 106 legal agreements/CIL. Through the previous planning application process, both GBC and SCC agreed to S106 agreements with the Lead Promoter to secure infrastructure and there is therefore no reason why this could not be secured in the future.</p>
Opportunities to capture land value	<p>The land value capture at WAGV will take the form of the circa £80 million of privately funded infrastructure to be brought forward by the Site Promoter and/or future house builders/delivery partners. This includes new junction slip roads onto the A3 strategic road network, wider local road and cycling network improvements and endowed assets for the local community secured through the Community Trust. As outlined below in section 3.10 the proposals result in a positive GDV and residual land value assisting in securing land value capture. In addition, WAGV is likely to contribute to the delivery of side road infrastructure relating to Highways England’s RIS1 M25 Junction 10 improvement works by facilitating the diversion through the WAGV site of the Wisley Lane access to RHS Wisley from A3 Ockham roundabout including enhanced walking and cycling linkages. The value generated shall also enable half the site to be provided as open space and a full 40% affordable housing contribution.</p>
Access to finance and private sector investment	<p>Given the high value location of WAGV, as demonstrated by the high house prices of the Borough, it is reasonable to conclude that the development will be able to stimulate private investor interest and access to finance to enable timely infrastructure delivery.</p>



Source: Lead promoter Wisley Property Investments Ltd.

3.9 Trajectory

Wisley Airfield Garden Village Trajectories

Current Delivery Trajectory

	Pre-Adoption				First Five Years					6-10 Years					11-15 years				
	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33	2033/34
Local Plan Adoption				Mar-19															
Planning Application Submitted					Sep-19														
Planning Committee					Apr-20														
Local Level Consent						Jun-20													
Reserved Matters/SANG Pre Commencement Conditions						Dec-20													
RIS 1																			
Delivery of Housing at Wisley Airfield (per annum)								50	100	150	150	150	200	200	200	200	200	200	200
Cumulative Delivery of Housing at Wisley Airfield (per annum)								50	150	300	450	600	800	1000	1200	1400	1600	1800	2000
Delivery of Housing at Wisley Airfield (per 5 year period)								150					850						1000
SANG Phase 1																			
Ockham Junction Signalisation																			
Temporary Community Facility																			
Horsley and Effingham bus stop upgrade																			
Bus Service																			
Cycle & PRoW Upgrades																			
Cycle Upgrades to Brooklands																			
2FE Primary School																			
Old Lane Restriction																			
Effingham Junction Crossroad Improvements																			
Send roundabout																			
Bus Infrastructure / rail access improvements at Effingham Junction and Horsley																			
Community Hall																			
4FE Secondary School																			
Healthcare facility																			
Employment Phase 1																			
Burnt Common Slips (A3)																			
Library																			
Village Centre																			
Sports Facilities MUGA including pitches																			
SANG Phase 2																			
SANG Phase 3																			
Employment Phase 2																			
Nursery (Maintained)																			
SANG Phase 4																			

Wisley Airfield Garden Village

Garden Communities Programme Bid to the MHCLG

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Delivery Trajectory based on GV Status

	Pre-Adoption				First Five Years				6-10 Years					11-15 years					
	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33	2033/34
Local Plan Adoption				Mar-19															
Planning Application Submitted				Jun-19															
Planning Committee				Dec-19															
Local Level Decision				Jan-20															
Reserved Matters SANG Pre Commencement Conditions				Mar-20															
RIS 1																			
Delivery of Housing at Wisley Airfield (per annum)								200	200	200	200	200	200	200	200	200	200	200	
Cumulative Delivery of Housing at Wisley Airfield (per annum)								200	400	600	800	1000	1200	1400	1600	1800	2000		
Delivery of Housing at Wisley Airfield (per 5 year period)									400					1000					600
SANG Phase 1																			
Ockham Junction Signalisation																			
Temporary Community Facility																			
Horsley and Effingham bus stop upgrade																			
Bus Service																			
Cycle & PRoW Upgrades																			
Cycle Upgrades to Brooklands																			
2FE Primary School																			
Old Lane Restriction																			
Effingham Junction Crossroad Improvements																			
Send roundabout																			
Bus Infrastructure / rail access improvements at Effingham Junction and Horsley – trigger 500 units																			
Community Hall																			
4FE Secondary School																			
Healthcare facility – trigger between																			
Employment Phase 1																			
Burnt Common Slips																			
Library																			
Village Centre																			
Sports Facilities MUGA including pitches																			
SANG Phase 2																			
SANG Phase 3																			
Employment Phase 2																			
Nursery (Maintained)																			
SANG Phase 4																			

Key
Delivery of Infrastructure - current trajectory
Accelerated delivery of infrastructure based on early housing delivery
Accelerated delivery infrastructure based on GV status (e.g. via funding)

3.10 Delivery Timescales & Accelerated Delivery

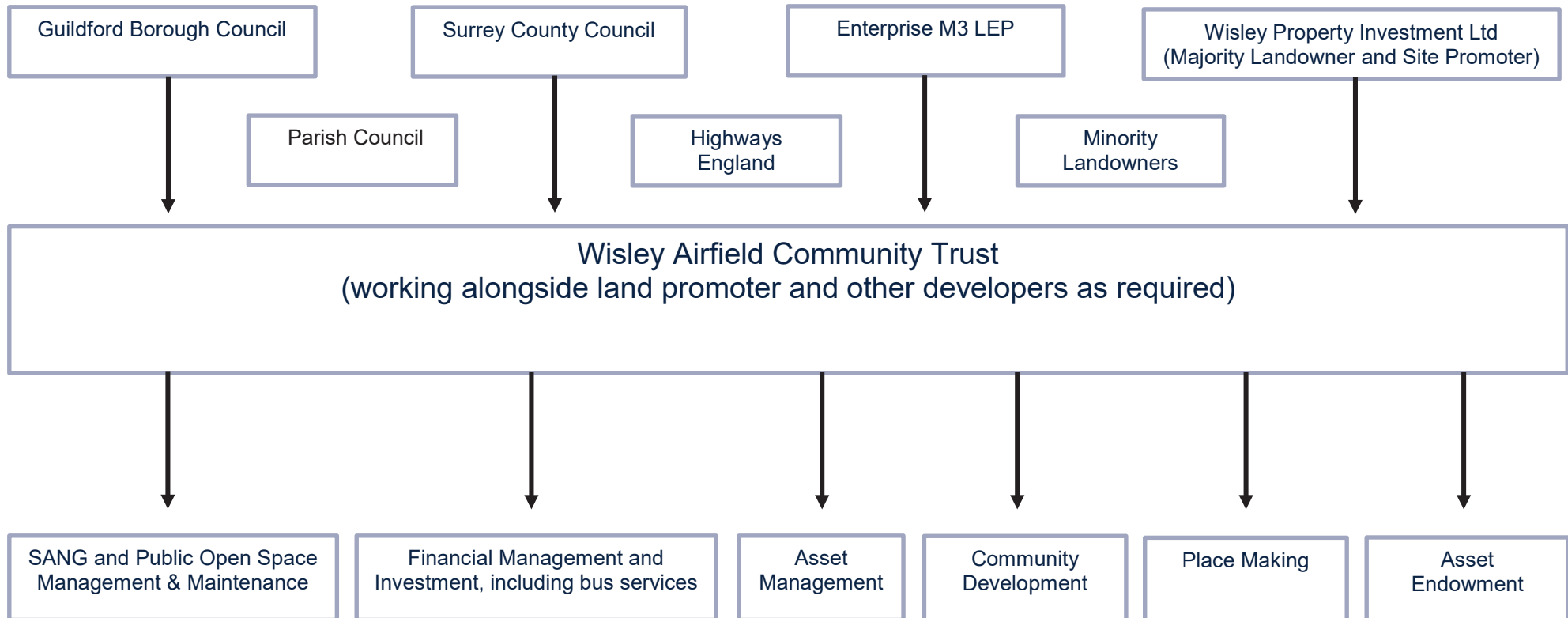
Assessment Criteria	Wisley Airfield Garden Village criteria satisfaction feature
Priority to proposals that offer a strong prospect of early delivery	The delivery trajectories for WAGV (see pages 18 & 19) demonstrate that on the Council's current trajectory the development will achieve the delivery of housing and associated infrastructure within the first 5 years of the Local Plan. This would equate to 4.5% of the Council's identified five year requirement in the first five years, 25% of the requirement for the 6-10 year period and 30% of the 10-15 year requirement.
Priority to proposals that offer a significant acceleration of housing delivery	<p>With the potential for accelerated delivery the Council considers it may be possible for 400 homes to be completed in the first five years, compared to the emerging local plan's trajectory which states 150 homes will be completed in the first five years.</p> <p>On the basis of WAGV securing Garden Village status the delivery could be accelerated through Government support (outlined below) and this would result in the delivery of 12% of the five year requirement in the first five years and 30% of the 6-10 year requirement. This accelerated delivery would help to ensure that the Local Plan remains up to date.</p>
Innovative ways to deliver new homes	WAGV is of a sufficient scale to support innovative delivery methods. These will be explored by GBC and their key stakeholders and with the Site Promoter and future housebuilders through the strategic and detailed masterplanning of the site.
Opportunities for a diverse range of housebuilders	As outlined in more detail above, GBC and the lead Site Promoter are committed to ensuring that the quality of development is secured. This is secured through the strong design values outlined in the emerging Local Plan policies, the Council led Masterplanning exercise in the form of the SDF SPD and the requirement to prepare masterplans that are subject to design panel review. This will be secured through future outline and detailed planning consents. In addition the Community Trust will ensure that the local community have direct influence on the quality of place making.
Priority to proposals that can demonstrate how build out will be achieved at pace while maintaining quality	



Source: Lead promoter Wisley Property Investments Ltd.

3.11 Governance Structure Chart

3.11.1 The chart below illustrates how the delivery of Wisley Airfield Garden Community will be secured through Guildford Borough Council, Surrey County Council, Strategic Stakeholders and the Landowners and Site Promoters of the development. This is underpinned by the Community Trust and will ensure that the long term sustainable vision for the development is secured.



3.12 High Level Viability Appraisal

3.12.1 Wisley Airfield Garden Village is considered to be both viable and deliverable by GBC. This view is shared by the lead Site Promoter. This has been demonstrated through the Local Plan preparation and is supported by the associated Viability Assessments undertaken by Peter Brett Associates in 2016 and by Porter Planning Economics in 2017. The evidence is sufficient to support the Local Plan preparation process. The policy and infrastructure requirements in relation to the appeal scheme were fully documented in signed s106 agreements and the scheme was considered to be viable.

3.12.2 The assessment tested “policy on” and “policy off” scenarios to ensure that allocations were viable both alone and with policy requirements which would be triggered through a planning application. WAGV was assessed to be “viable with financial headroom that could be used for further planning gain”³. In addition there will be further value generated by open spaces and commercial space delivered as part of the proposals.

3.12.3 The lead Site Promoter has estimated the total value of the infrastructure to be delivered by the proposals to be some £80 million, in addition to 40% affordable housing provision (approximately 800 units) and significant public open space provision.

3.13 Accelerated Delivery of Garden Village

3.13.1 As outlined in the delivery trajectories (see pages 18 & 19) there is potential for WAGV to achieve accelerated delivery should Garden Village status be achieved. This is due to this status allowing the lead Site Promoter and potentially other future housebuilders to be supported by accelerated infrastructure funding required to assist with short term debt funding of major infrastructure assets, and also for resource funding to assist with the delivery of consent for planning outline and reserved matters. This has a particularly significant effect on infrastructure delivery in the first five years.

4 REQUEST FOR GOVERNMENT ASSISTANCE

4.13.1 As outlined in the Prospectus the Government are offering assistance and support to successful local authorities and Garden Villages. In order to deliver Wisley Airfield Garden Village at accelerated rates and to secure the maximum benefits to the communities of the Borough and wider region, GBC ask for support in respect of:

1. Resource Funding

4.13.2 Through the emerging Local Plan, GBC are allocating a large number of sites including five strategic sites including WAGV. As these sites come forward to planning application stage, this is likely to put pressure on staff resourcing. Resource funding would ensure that GBC are able to resource the Planning Department to enable it to manage the scale and complexity of applications efficiently, ensuring approval and delivery can be achieved in a professional and timely manner. For WAGV the additional resource funding can allow the relevant planning permissions to be achieved by March 2020 allowing for delivery of homes by June 2021.

4.13.3 This would also support the Council led Masterplanning, which is currently being advanced, and potentially other preparatory studies and will ensure the GBC vision for WAGV is achieved and the development is of the highest quality and as sustainable as possible.

2. Capacity Funding

4.13.4 Initial capacity funding would support GBC in planning, and supporting the delivery by highways authorities and developers of, wider strategic proposals across the Borough linked to and including proposals within WAGV. This includes potential assistance with major strategic infrastructure (identified in the Borough Infrastructure Delivery Plan, for example the Burntcommon Slip Roads) and sustainable transport linkages particularly focusing on cycling infrastructure.

3. Cross Government Brokerage

4.13.5 WAGV includes some complex and strategic level infrastructure which requires cross boundary and multi-stakeholder agreement to deliver. Whilst progress has been made towards agreement through the preparation of the Local Plan and previous application, there is work to do. The support of Homes England and wider Government bodies in order to facilitate effective and proactive engagement with Highways England and other key stakeholders would be hugely beneficial in securing the accelerated delivery of WAGV. Two specific areas where additional assistance could be provided include the facilitation of engagement with Highways England with regard to the formal approval of new sliproads to the A3 at Burnt common (including permitting of that scheme by means, for example, of a Side Roads Order), and the site and its generated traffic movements in the context of Highways

4.13.6

England's RIS 1 works to J10 M25. The early delivery of WAGV will be closely aligned with this RIS scheme for Junction 10, whose Development Consent Order application submission is 31st January 2019.

4. Delivery Advice & Support

The support of Homes England to assist in enabling the delivery of new homes and infrastructure by attracting private sector investments and loans would enable both homes and infrastructure to be delivered at an accelerated rate at WAGV. The prompt delivery of WAGV will realise 800 affordable homes, of varied tenures. The delivery of which would benefit from Homes England advice and support.

Produced by:

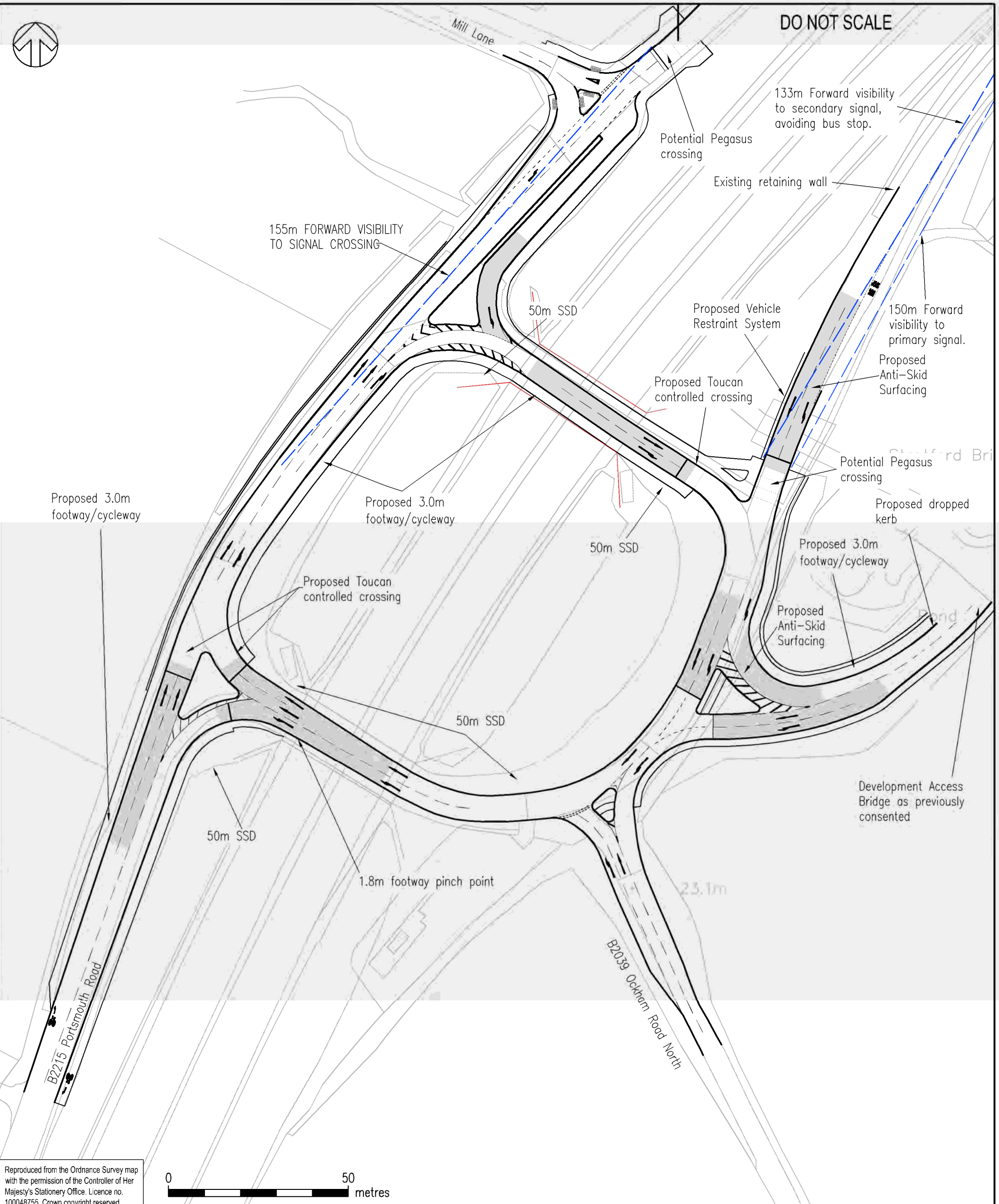


with information provided by the lead site promoter, Wisley Property Investments Ltd
and their consultant team.





DO NOT SCALE



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S:\50400934 - Wisley Airfield, Surrey\Development\AUTOCAD\SK_Sketches\0934-SK-005.dwg 01/03/2016 17:11:12 Waiton, Lewis

REV	DATE	BY	DESCRIPTION	CHK	APD
F	26/02/15	NW	AMENDED FOLLOWING RSA1	DDD	CAV
E	09/12/15	LEW	AMENDED FOLLOWING ASSESSMENTS	CAV	CAV
D	17/05/14	LEW	AMENDED FOLLOWING RSA 1	AL	AL
C	12/12/14	RJM	SCALE BAR ADDED	AL	AL
B	05/01/14	FI	NMU REVISIONS	AL	AL
SCALE @ A3:			CHECKED:	APPROVED:	
1:1000			AJL	AJL	



WSP

Mountbatten House, Basing View, Basingstoke, Hampshire RG21 4HJ
 Tel: +44 (0)1256 318800 Fax: +44 (0)1256 318700
<http://www.wspgroup.com>

PROJECT:	WISLEY AIRFIELD		
TITLE:	PROPOSED A3 / OCKHAM INTERCHANGE WITH MODIFIED SITE ACCESS		

DRAWING STATUS: FOR INFORMATION ONLY

CLIENT: WISLEY PROPERTY INVESTMENTS LTD

CAD FILE:	DESIGN-DRAWN:	DATE:
0934-SK-005.DWG	FI	December 13

© WSP Group Ltd

ARCHITECT: FIELDEN CLEGG BRADLEY STUDIOS

PROJECT No:	DRAWING No:	REV:
50400934	0934-SK-005	F

An aerial architectural rendering of the Wisley Airfield development. The scene shows a large residential complex with numerous houses and buildings, interspersed with green spaces, trees, and several ponds. A biplane is flying in the sky above the development. The overall style is a soft, painterly illustration.

Wisley  Airfield

Wisley Airfield: A Sustainable New Community for Surrey

July 2017

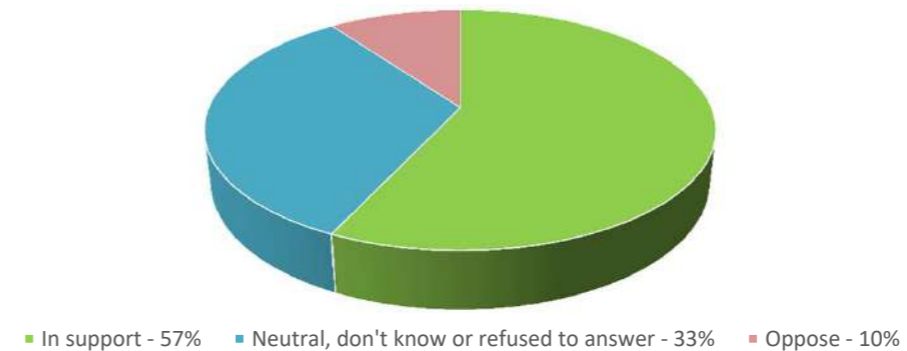
Wisley Property Investments Ltd
RICHARD CAEMAN 14/9/15

Scheme Summary

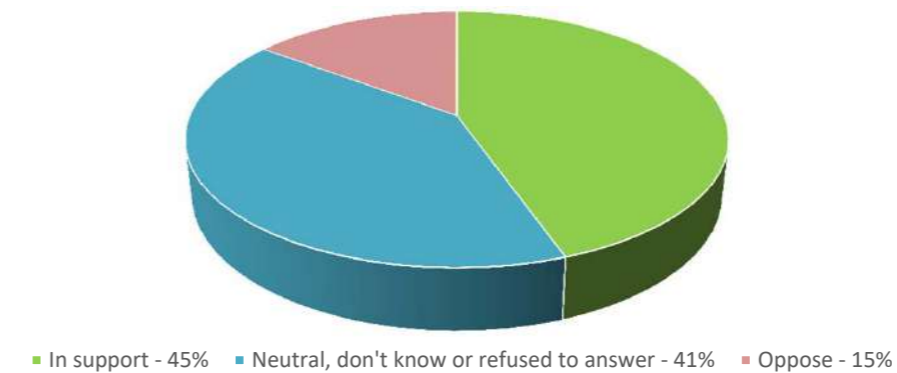
- Around 2,000 homes (C3) with up to 800 subsidised
- Circa 50 hectares SANG (country park) with landscaping, tump and SuDS
- Village centre with village green, local services and parking
- Primary school (2FE) and Secondary school (4FE) with 2ha of playing fields (including 0.3ha of MUGAs)
- Nurseries (x2)
- Care Home for the elderly (C2)
- Community Hall and Health Centre
- Community Trust supporting SANG, bus provision and place making
- 3.9ha pitch sports (including 0.8ha all-weather) with club house, parking and flood-lit full size hockey pitch, tennis courts and MUGA
- 9.4ha of formal, equipped and informal play space
- Local shops (2,240sqm A1-A5)
- Commercial and offices (1,790sqm B1 + 2,500sqm B2/B8)
- Direct consented access to the A3 Ockham roundabout
- Frequent new and improved bus services to railway stations and local centres
- Improved cycle links
- 8 Gypsy and Traveller pitches

Increasing support for Wisley Airfield proposals

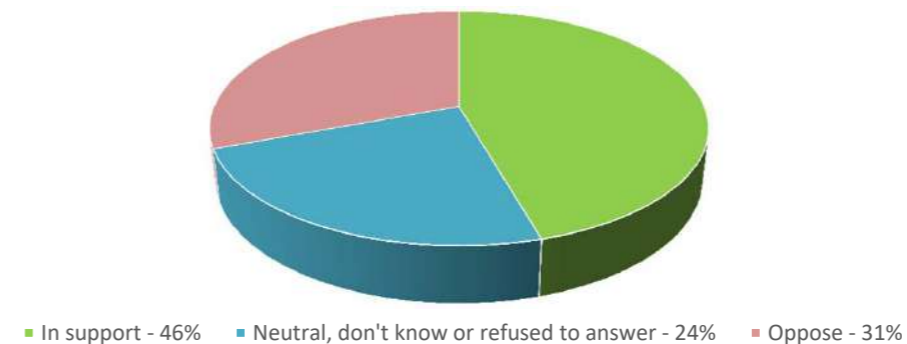
500 aged 18-40 GBC residents telephone survey, March 2017



502 aged 18-40 GBC residents telephone survey, June 2016



1002 GBC residents telephone survey, March 2015



Percentages rounded to nearest percentage

Why Build a New Community at Wisley Airfield?

- Allocated as a site for a new settlement in Guildford Borough Council's pre-submission (Regulation 19) Local Plan
- Guildford's stated need is circa 650 homes per year
- Guildford's average delivery is only 229 homes per year (2009-2017)
- House prices in Surrey are now 14 times average earnings
- Wisley Airfield can provide around 2,000 new homes including up to 800 subsidised homes
- The strategic site at the most advanced stage through the planning process in Guildford
- Contains the largest amount of previously developed land of any strategic site proposed for release from the Green Belt
- Delivers almost 10% of the Borough's affordable housing in plan period
- In a survey of 500 18-40 year olds in the Guildford area, 90% were in favour of the Wisley development or neutral
- More than 1000 supporters signed up at June 2017

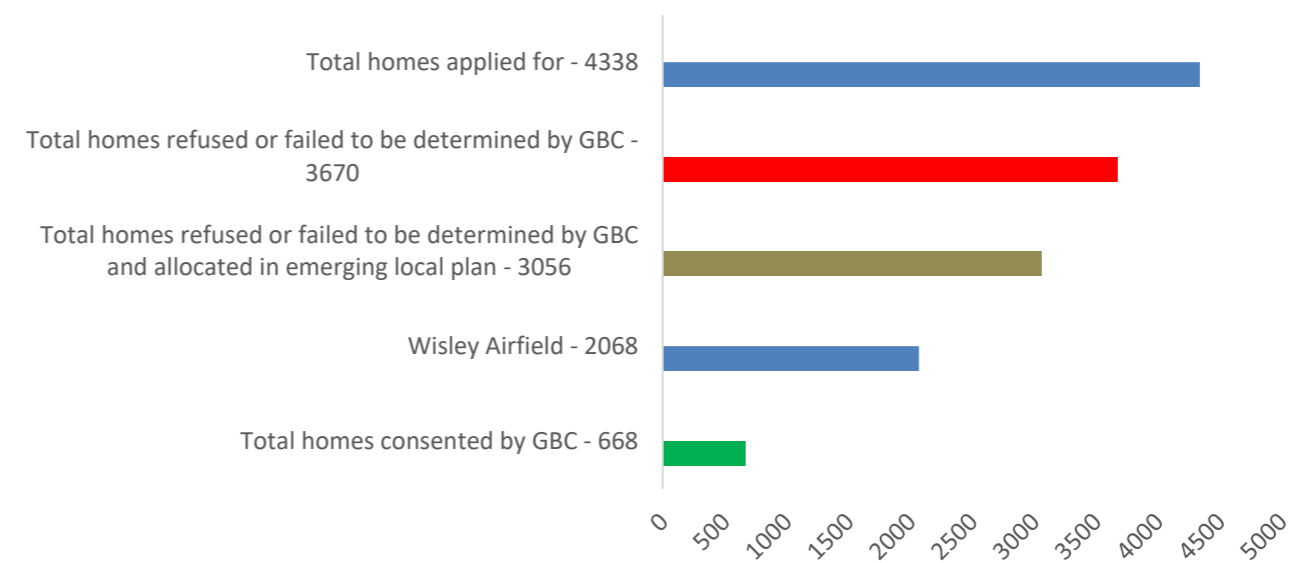
Housing Completions

Year	Housing Delivered	Affordable Housing Delivered
2009/10	227	50
2010/11	190	85
2011/12	262	68
2012/13	234	22
2013/14	137	17
2014/15	242	68
2015/16	388	125
2016/17	150	50
Totals	1680	485

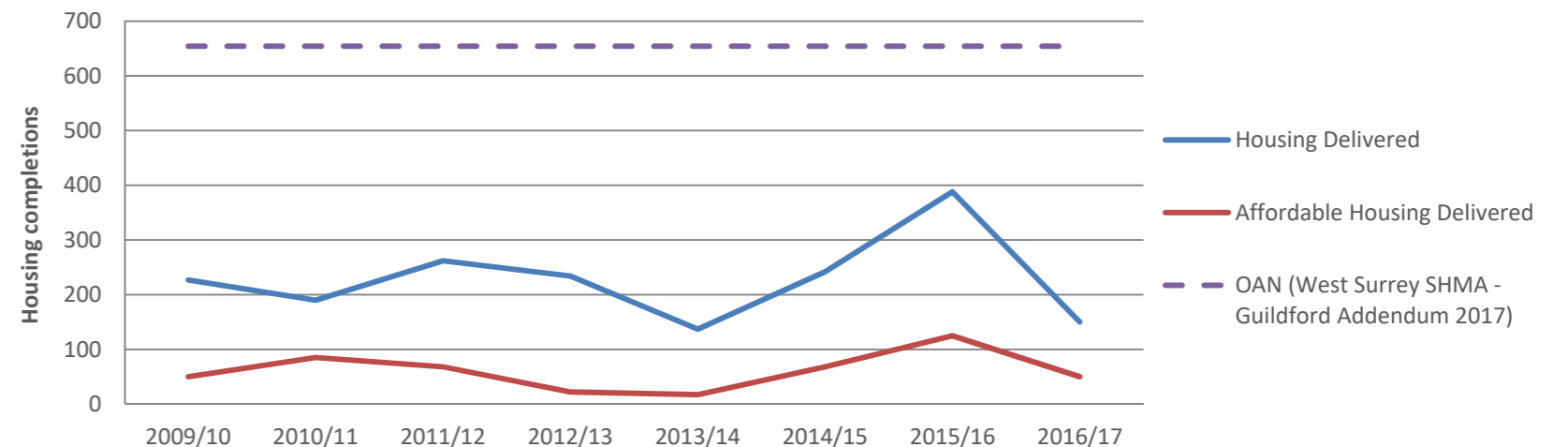
Source: Guildford Monitoring Report 2015/16 (October 2016)
2016/17 estimated

Guildford is not consenting or building the housing it needs

Planning applications for homes on sites of more than 20 homes April 2015 - April 2017



Delivery of Housing in Guildford against Objectively Assessed Housing Need



Site Context and History



Wisley Airfield when in operation by Vickers



Pathé film still



Pathé film still

Very Special Circumstances

A beautifully designed community for all

- Good contemporary architecture by award-winning design team
- A new settlement with character and identity
- Distinct, walkable neighbourhoods

All the infrastructure for everyday needs

- A community large enough to support its own services
- Community Trust managing facilities, fostering community cohesion
- Types and tenures of homes for all

On-site and local ecology improvements

- Circa 50 hectares of improved habitat for wildlife, and net biodiversity gain
- Support to the Wisley and Ockham Heaths SSSI and SPA

New community sport and play spaces

- Clubhouse with grass and all weather pitches
- 50 hectares of parkland/ open space, larger than Guildford's Stoke Park

A new all-through school on-site

- Provision for 6 months to 16 years old pupils
- Integral grass and all-weather sports facilities

A connected community

- New and improved bus services to railway stations/ local centres
- Supporting local cycle route upgrades
- Highway improvements to A3 / M25 and to local roads

Supporting the local economy

- £57m GVA per annum (Source Savills 2017)
- Cumulative Local Authority benefits stand at circa £130m
- 40,000 sq ft of business premises



Wisley Airfield contains over 70 acres of crumbling concrete



Building a community

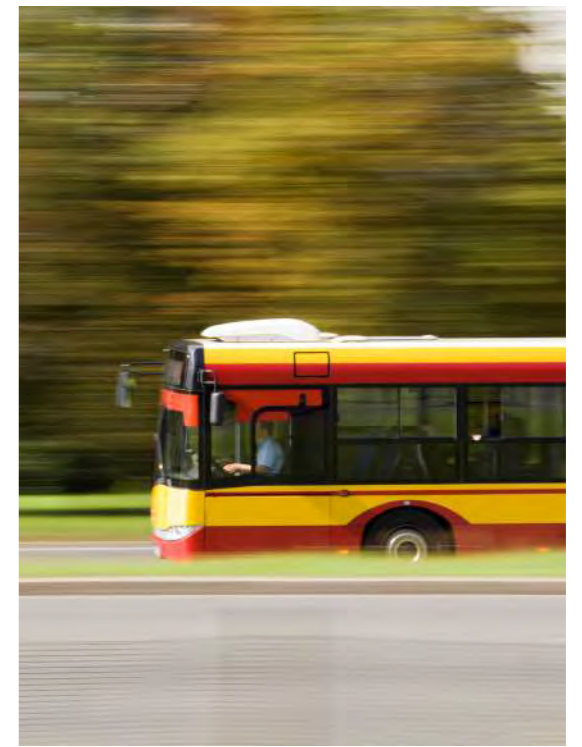
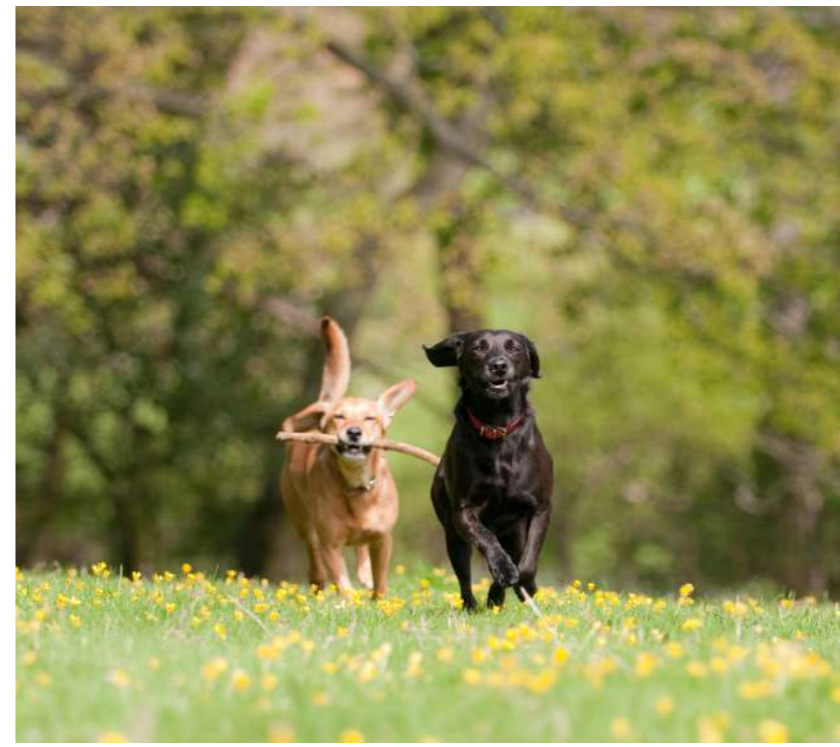
A community which is about people, not just places

A Community Trust established and endowed from the start to:

- Bring groups together
- Manage the community hall
- Run community facilities - e.g. play areas and club house
- Support the bus service
- Maintain and manage the parkland SANG
- Protect Wildlife
- Manage interaction with the Special Protection Area



Wisley Airfield Community Trust





Indicative Village Centre



Bus Stops



SANG



Sports pitches



Community Trust



Offices



Shops



Health Centre



Nursery



Primary school



Secondary school



Sports pitches



Car park

Excellent Contemporary Design

FeildenCleggBradleyStudios

The masterplanners and architects, Feilden Clegg Bradley Studios, have an international reputation for design quality, environmental expertise and architectural innovation.

- 2008 Royal Institute of British Architects (RIBA) Stirling Prize
- Top RIBA National Award winning architect of the past 10 years
- 47 RIBA Awards (including RIBA Sustainability Award 2006)
- 15 Housing Design Awards (Overall Winner 2010, 2006 and 2005)
- 7 Civic Trust Awards (including Civic Trust's Sustainability Award)
- Queen's Award for Sustainable Development
- Building Design magazine Sustainability Architect of the Year 2016
- Architects' Journal 100 Sustainable Practice of the Year three times

**“What does Great British architecture look like? Pretty much anything by Feilden Clegg Bradley. And that's a fact.”
(Rory Olcayto, Architects' Journal 19 June 2014)**

The Illustrative Masterplan





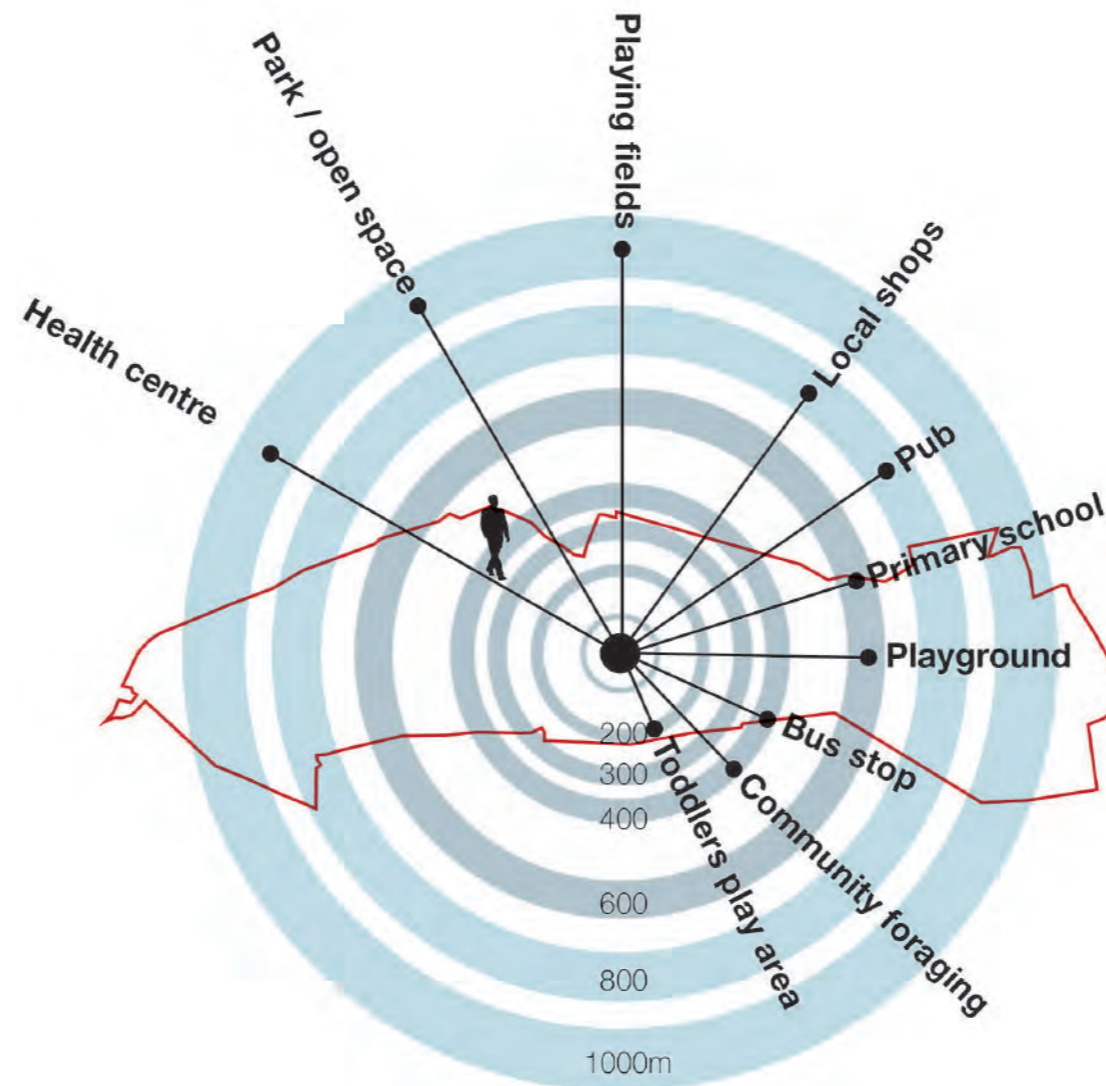
Sustainable Infrastructure for Wisley Airfield and the wider community

Sustainability has been at the heart of the masterplanning process from the project's inception. Indeed, the development has been guided by four core principles in order to deliver an exemplar of sustainability:

1. Adaptive and resilient physical infrastructure
2. Place making
3. Social Sustainability
4. Preservation and enhancement of existing habitats

Based upon these four principles Wisley will be a sustainable, successful place that promotes well-being, developed by understanding what people need from the places where they live and work.

It will engender social sustainability by combining design of the physical realm with design of the social world – infrastructure to support social and cultural life, social amenities, systems for citizen engagement, and space for people and places to evolve. Its sustainable communities will meet the diverse needs of existing and future residents, their children and other users, contribute to a high quality of life and provide opportunity and choice.



Possible Local Facility Catchments

Catchment	Population
Corner shop	1:2000-5000
Primary school	1:2500-4500
Doctors surgery	1:2500-3000
Public house	1:5000-7000
Local shopping centre	1:5000-10,000
Post office	1:5000-10,000
Secondary school	1:7000-15,000
Community centre	1:7000-15,000
Youth club	1:7000-11,000
Health centre (4 doctors)	1:9000-12,000
Church	1:9000 minimum
Library	1:12,000-30,000
Sports centre	1:25,000-40,000
Superstore / district centre	1:25,000-40,000

NOTE: This list is indicative on city scale not small town. Catchment may vary from place to place and over time.

Sources: Coombes, Fathing and Winter (1992-94) Greater London Council (1965) Milton Keynes Development Corporation (1992) Source Barton et al, 1995

- Provided at Wisley Airfield, population circa 5000
- Overprovision at Wisley Airfield compared to list

A Sustainable Density

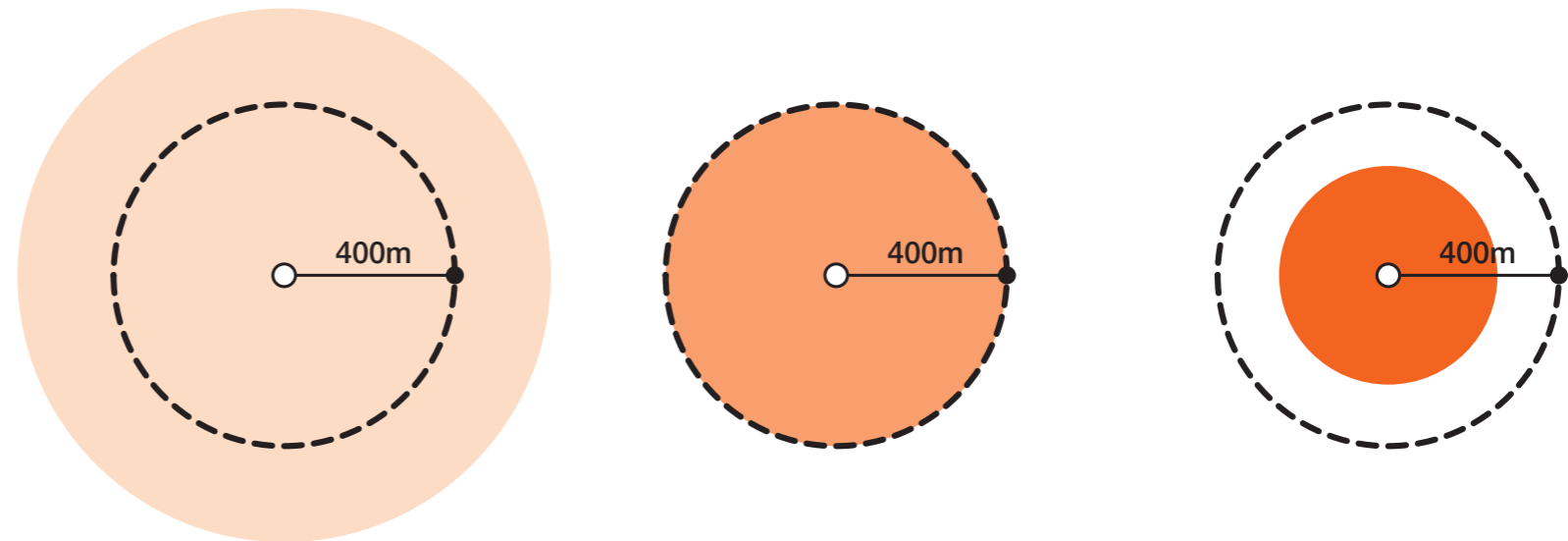
The density of a settlement is a key factor in the creation of a sustainable place. This is what determines how closely people live to the local services they use on a daily basis. The appropriate density for a sustainable settlement should enable all residents to have easy access to key local services without the use of private transport.

The density of a sustainable settlement can vary. The following factors should influence the minimum density:

- local services located within reasonable walking distances of all dwellings
- sufficient local population to support essential local services
- sufficient density of people to support a regular public transport service.

The balance of these three factors begins to define the appropriate density for a sustainable development.

The indicative masterplan at Wisley Airfield shows an optimised range of development to ensure that its services, open spaces and amenities, and public transport nodes are walkable from all homes whilst forming a considerate development in the context of its surroundings.



A key factor influencing density is the provision of public transport. In order to support a viable public transport system, a density of 100 -150 people per hectare (pph) is required (Barton et alia 1995). The Urban Task Force also used these figures to establish the density for a sustainable settlement (refer to diagrams above). This equates to an average net density of around 40-60 dph. Guildford Borough Council's Residential Design Guide (2004) Policy H10 previously allowed that "Residential development

should be at a density of between 30 and 50 dwellings per hectare net".

Wisley falls within this range at 30-32dph "gross" (whole site excluding SANG) and 49 dph "net" (net density calculated in accordance with the former PPS3 methodology) on the basis of 2060 units (excluding the 8 traveller pitches). The density on the whole site including the SANG is approximately 18dph.

Wildlife and Ecology

- The 50 hectare SANG will create an improved environment for wildlife to thrive, and people to enjoy
- This SANG will provide space for amphibians, reptiles, badgers, bats, birds and invertebrates - more than double the current habitat area

Habitat Type	Relative Change (ha/km)	Target Fauna
Species-poor grassland	+ 9.7	Amphibians and reptiles
Species-rich grassland	+ 18.7	Amphibians, badgers, bats, birds, invertebrates, reptiles
Ruderals, bracken and scrub (including scattered trees)	+ 8.2	Amphibians, badgers, invertebrates, reptiles
Woodland	+ 6.2	Amphibians, badgers, bats, birds, invertebrates, reptiles
Orchard	+ 1.5	Badgers, birds, invertebrates
Ponds & wetland habitat	+ 1.7	Amphibians, bats, birds, invertebrates, reptiles
Estimated area of residential gardens comprising amenity grassland and amenity tree and shrub planting	+ 9	Amphibians, birds, bats, reptiles
New species-rich hedgerow	+ 2.4 (km)	Amphibians, badgers, bats, birds, invertebrates, reptiles
New wet ditches/swales	+ 2 (km)	Amphibians, bats, birds, invertebrates, reptiles

Source EPR

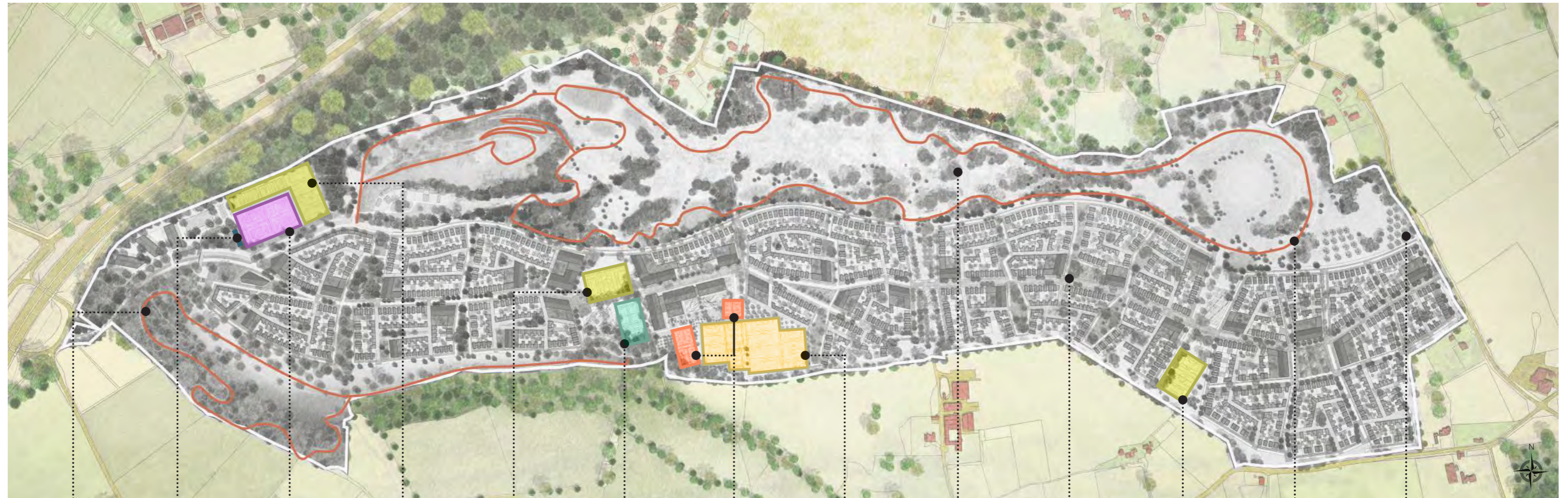
Before



After (indicative)



Indicative Sports and Leisure



SANG
Woodland
Route



Clubhouse
& parking



(Full Size)
Hockey
Pitch



Grass
Pitches



Grass
Pitch



MUGA/
Tennis Courts
& parking



School
MUGAs



School
Grass
Pitches



SANG



Local Play
throughout
development



Grass
Pitch



SANG
Walking
Routes



Community
Orchard



Indicative Education for Wisley Airfield and the wider community

- Education on site from 6 months to 16 years
- All-through school designed with delivery partner
- Potentially new Free School or Academy Trust
- Two nurseries (one integral to school)
- 2 form entry primary school to meet Wisley Airfield need
- 4 form entry secondary school to also meet wider need
- All Wisley Airfield homes within 15 minute walk of schools



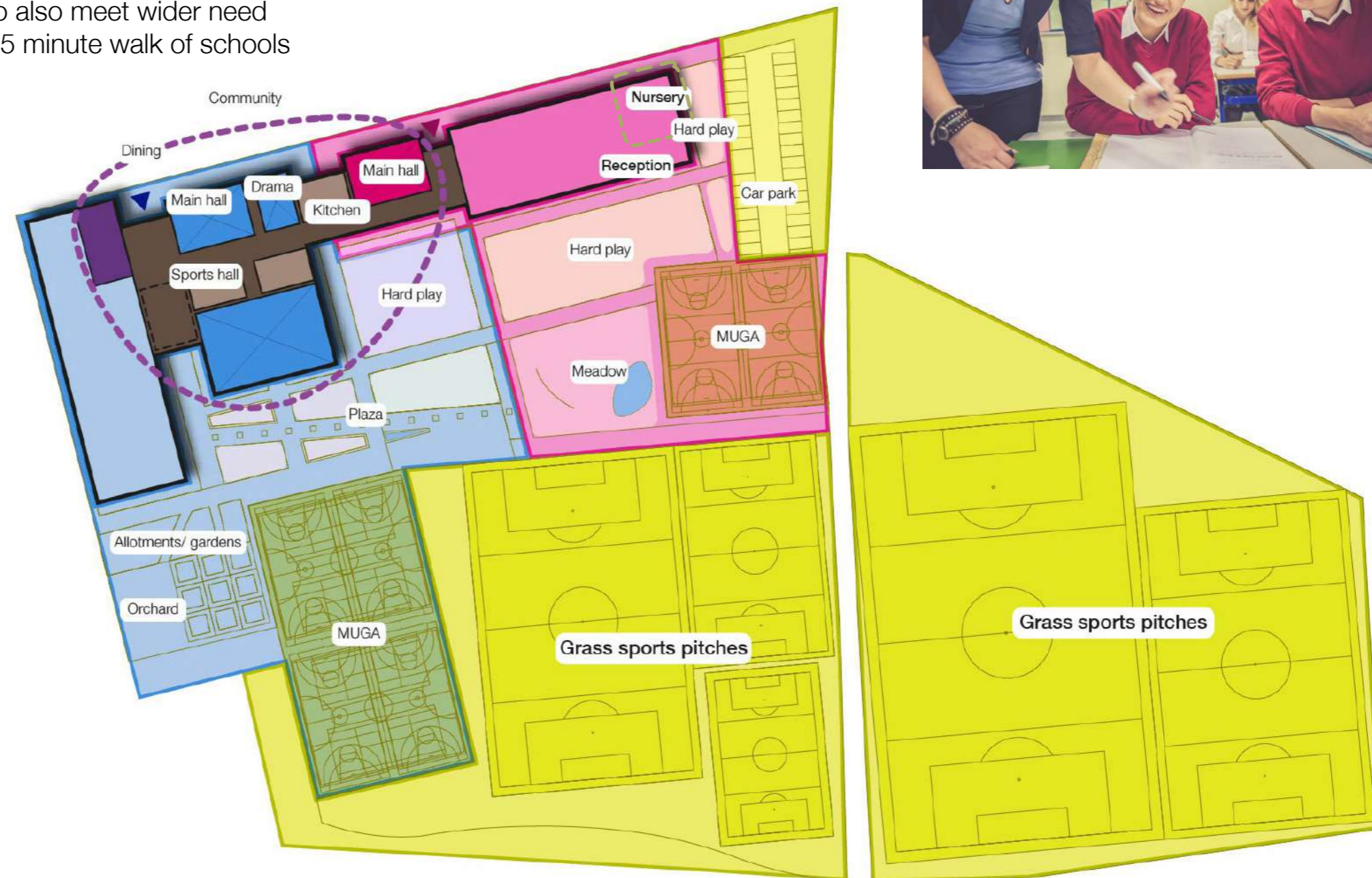
Primary school



Secondary school



Nursery




Strategic Transport Improvements - Bus and Cycling

Buses, including periodic enhanced services to boost patronage and provide funding resilience, will be supported in perpetuity by Wisley Airfield Community Trust.

Key

 Site Location


Existing Routes

 Route 715
(Hourly Guildford-A3 Wisley-Kingston upon Thames)


 Railway


 Railway Station


Proposed Routes and planned frequencies

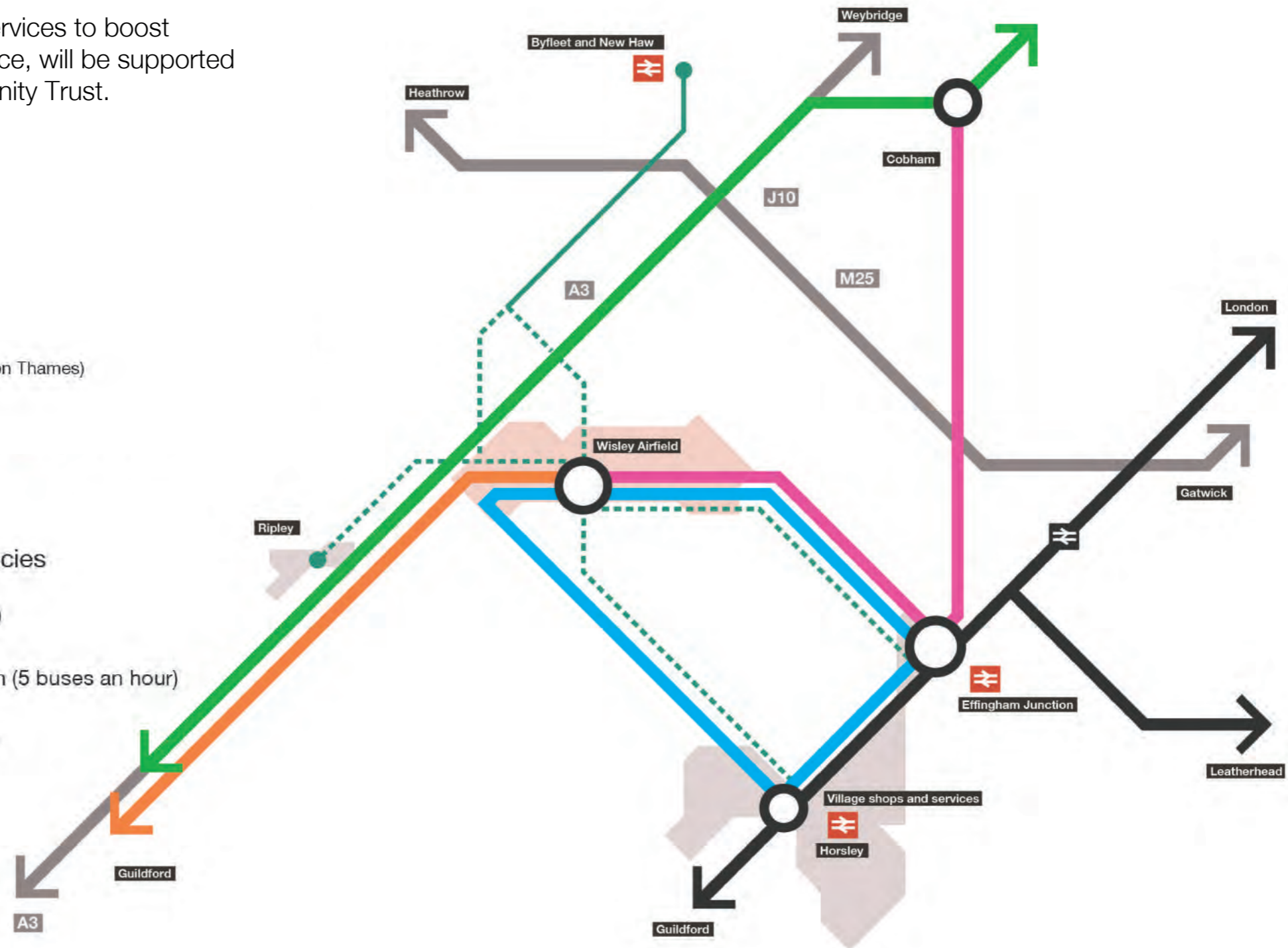
 Wisley-Guildford (2 buses an hour)

 Wisley-Horsley/Effingham Junction (5 buses an hour)

 Wisley-Cobham (2 buses an hour)

 Cycling route contributions

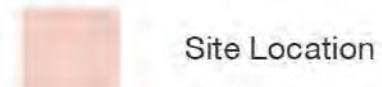
 Cycling route upgrade



Wisley Airfield also supports improvements to facilities at bus/ rail interchanges.

Strategic Transport Improvements - Highways

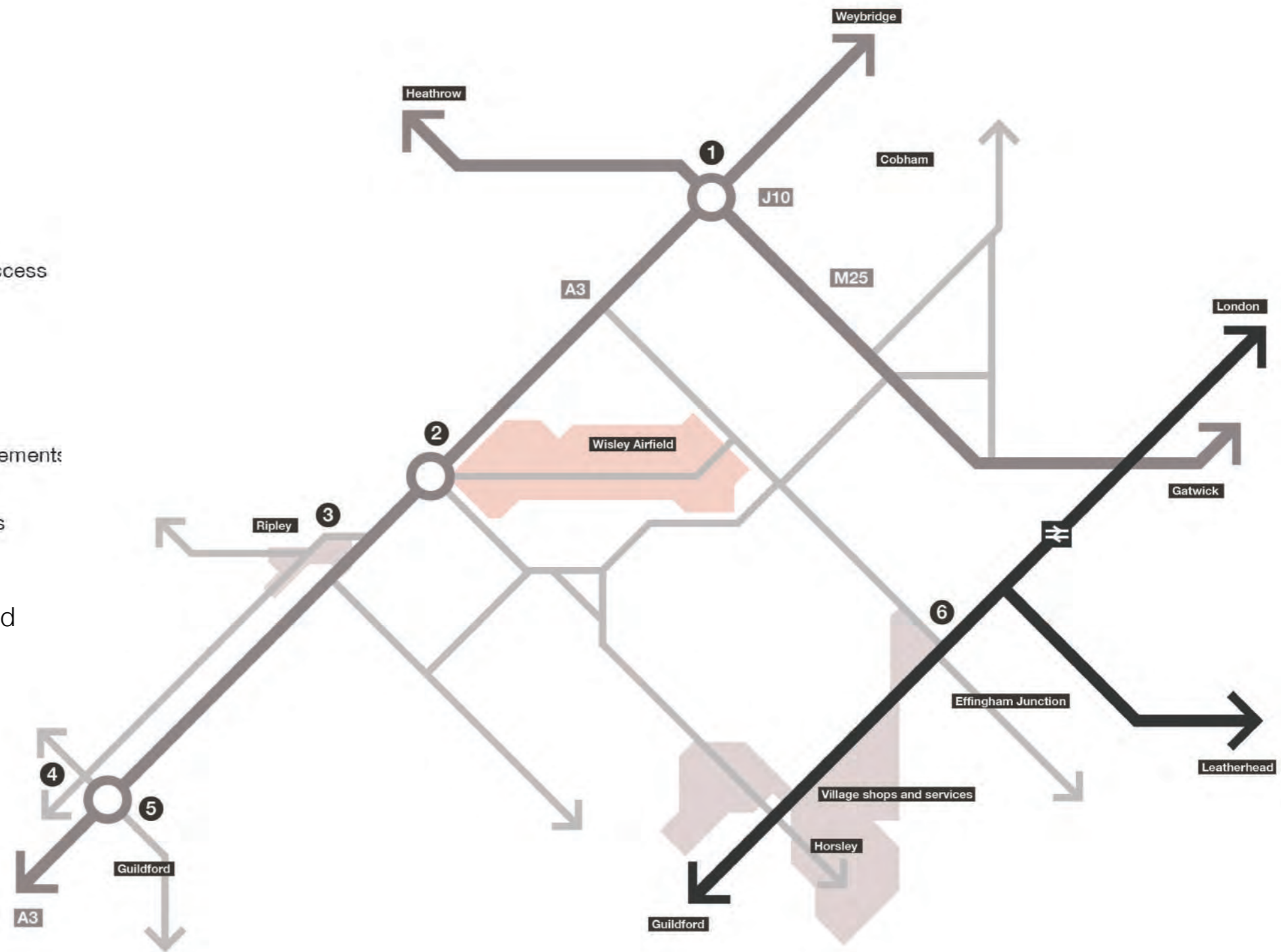
Key



Highway Improvements

- 1 M25 J10 improvements
- 2 Ockham Interchange signalisation and site access
- 3 Ripley highways improvements
- 4 Send Roundabout safety improvements
- 5 A3 Burnt Common junction local plan improvements
- 6 Effingham Junction crossroads improvements

The new community will be directly served from A3 at Ockham Interchange.



Economic Benefits

The Proposals

The site is a vacant former airfield and falls within the jurisdiction of Guildford Borough Council.

Major redevelopment of the site is proposed, with the scheme promoted as a Garden Village. The proposals include:

- 2,000 residential units
- 60 bed care home
- 2,240 sq m of shops and restaurants
- 1,790 sq m of office space
- health care space
- 2,500 sq m of industrial/storage and distribution
- A two form entry primary school
- A four form entry secondary school
- Two pre-school nurseries, and
- An eight pitch travellers site.



Economic Benefits

The scheme will provide direct and indirect job opportunities through both the office, retail and industrial space and the residential and social infrastructure uses. These include temporary jobs created during the construction period as well as permanent jobs provided once the operational phase has begun.

Construction Jobs

180 average construction jobs per year (including indirect off-site jobs) over 12 years

A new residential population and those workers in the office, retail and industrial space will generate Gross Value Added (GVA).

Permanent Jobs

775 permanent direct (on site) jobs

1,410 permanent direct and indirect jobs (on and off site)

£57 million per annum net additional GVA (GVA associated with the additional number of jobs)



Local Authority Revenues

Guildford Borough Council will also benefit from additional local government revenues generated by the scheme including council tax, business rates and new homes bonus.

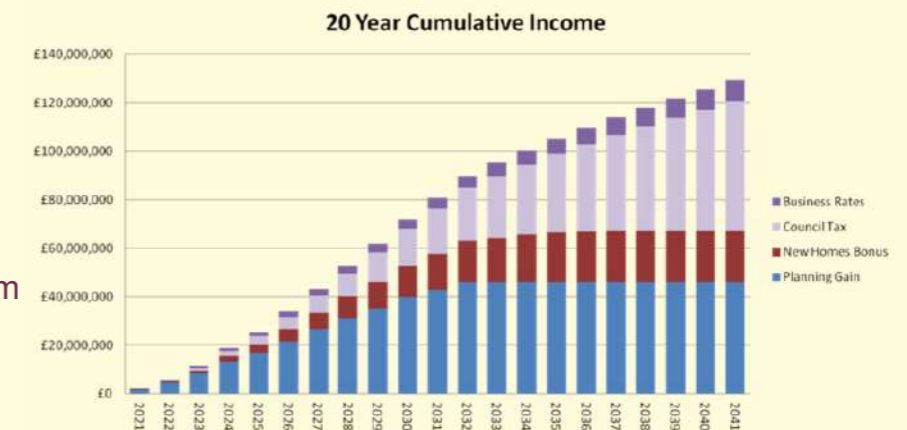
Planning Gain: £40+ million

New Homes Bonus (NHB): £21 million

Council Tax Income: £3.5 million per annum

Rates Income: £0.5 million per annum

Cumulative Income: £130 million over 20 years



By its nature estimates of employment and GVA benefits are subject to a range of uncertainties. Our figures are based on good practice, guidance, data and estimates based on knowledge and experience. There will though remain a degree of uncertainty. We estimate that actual impacts are likely to be in a range of +/-20% of figures given. Revenue figures are given based on current rates and values and are expected to be higher in real terms given the anticipated growth in the economy.

Homes that people need

“There’s nowhere for first time buyers. Even if you have a deposit, there is nowhere you can afford to live on your own.”*

Local Support for Wisley Airfield

- 90% of 18-40 year olds in favour or neutral about new community at Wisley Airfield**
- 62% of Guildford Borough residents in favour or neutral about the new community***
- over 1000 supporters of Wisley Airfield have signed up since October 2016

* Quote from a focus group organised by Populus

** Telephone survey of 18-40 year old Guildford Borough residents (2017)

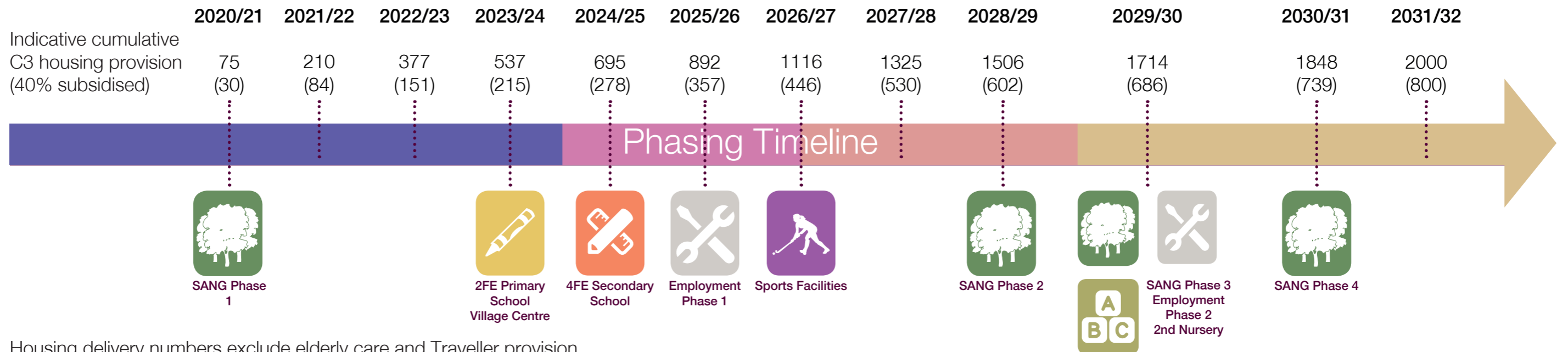
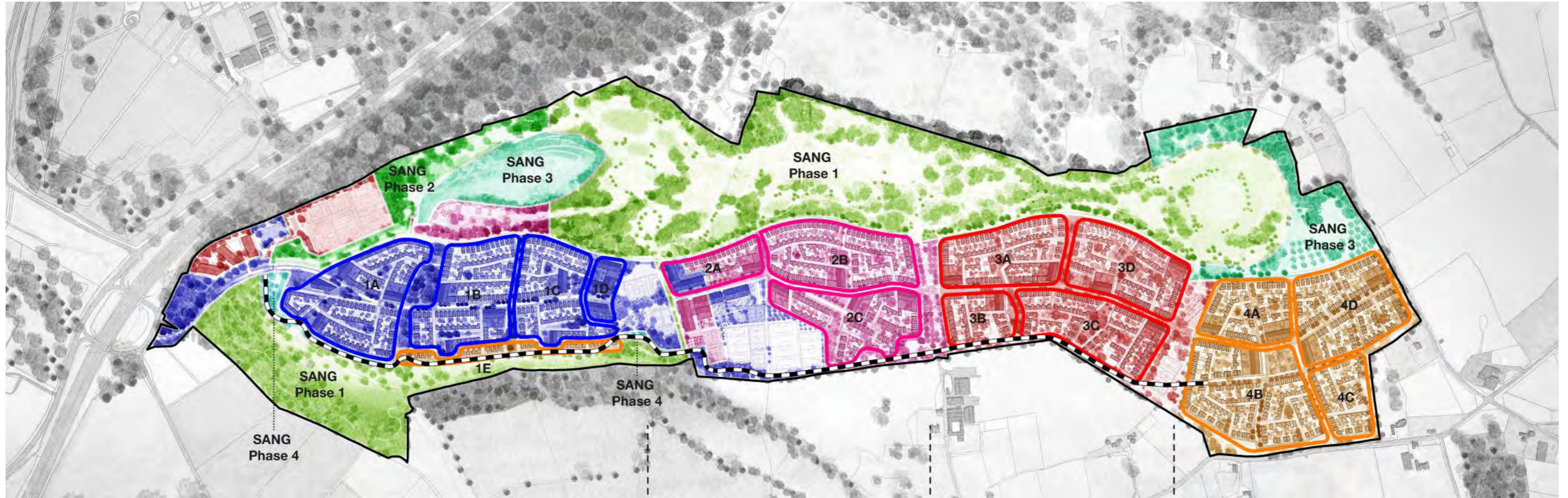
*** Telephone survey of GBC residents (2015)

Homes for all

- 40% of all Wisley Airfield housing will be subsidised homes (up to 800)
- Subsidised provision almost 10% of Guildford’s need (2013-2033)
- 75% of subsidised housing will be 1 and 2 bed homes (circa 600)
- A range of housing from 1 to 5 bed homes overall



Indicative Phasing



Housing delivery numbers exclude elderly care and Traveller provision
 For the purposes of illustration subsidised homes are equally divided by year.
 Delivery will be in tranches based on the delivery of 40% overall.

“Guildford, I love you, but you are too expensive.”*

- 89% of young people in Guildford want to buy their own home**
- 71% say houses in the area are simply too expensive**
- Wisley Airfield can provide around 2000 new homes, including up to 800 subsidised homes using the largest piece of previously developed land in the Guildford Green Belt.

Wisley 
Airfield

A sustainable new community for Surrey

Contact us on:

Email: info@wisleyairfield.com

Phone: 020 7939 7949

Twitter: @WisleyAirfield

www.wisleyairfield.com

 **Causeway**

www.causewayland.com

* Quote from a focus group organised by Populus

** Telephone survey of 18-40 year olds (2017)



Ministry of Housing,
Communities &
Local Government

Mrs Charlotte Dyer
Herbert Smith Freehills LLP
Exchange House
Primrose Street
LONDON
EC2A 2EG

Our ref: APP/Y3615/W/16/3159894
Your ref: 8091/2461/30987614

13 June 2018

Dear Madam

**TOWN AND COUNTRY PLANNING ACT 1990 – SECTION 78
APPEAL MADE BY WISLEY PROPERTY INVESTMENTS
LAND AT WISLEY AIRFIELD, HATCH LANE, OCKHAM
APPLICATION REF: 15/P/00012**

1. I am directed by the Secretary of State to say that consideration has been given to the report of Clive Hughes BA(Hons) MA, DMS, MRTPI, who held a public local inquiry from 19 September 2017 – 25 October 2017 into your client's appeal against the decision of Guildford Borough Council ('the Council') to refuse your application for planning permission for the phased development of a new settlement of up to 2068 dwellings incorporating up to 60 sheltered accommodation units and 8 gypsy and traveller pitches and associated infrastructure including accesses onto the A3 (Ockham Interchange), Ockham Lane and Old Lane and revised access to Elm Corner, a secondary school, a primary school, community provision, nursery provision, health facility, a local centre (incorporating food & drink, retail, a visitor centre and offices), employment area, sports and recreational facilities (incorporating a floodlit sports pitch and pavilion); Sustainable Drainage Systems and an area of Suitable Alternative Natural Greenspace incorporating a landform feature and car parking; the erection of associated utilities infrastructure; the development proposal to incorporate the demolition/removal of the runway and VOR Beacon (and any associated outbuildings), in accordance with application reference 15/P/00012, dated 16 December 2014 (as amended¹).
2. On 31 October 2016, this appeal was recovered for the Secretary of State's determination, in pursuance of section 79 of, and paragraph 3 of Schedule 6 to, the Town and Country Planning Act 1990.

Inspector's recommendation and summary of the decision

3. The Inspector recommended that the appeal be dismissed.

¹ See paragraph 6 below

4. For the reasons given below, the Secretary of State agrees with the Inspector's conclusions and agrees with his recommendation. He has decided to dismiss the appeal and refuse planning permission. A copy of the Inspector's report (IR) is enclosed. All references to paragraph numbers, unless otherwise stated, are to that report.

Environmental Statement

5. In reaching this position, the Secretary of State has taken into account the Environmental Statement which was submitted under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 and the subsequent addenda (CD14, CD14.1 and CD14.2). The Secretary of State is satisfied that the Environmental Statement complies with the above Regulations and that sufficient information has been provided for him to assess the environmental impact of the proposal.

Procedural matters

6. The Secretary of State notes the Inspector's comments about amended plans at IR1.9 – 1.10. He agrees that no prejudice would be caused by determining the appeal on the basis of the amended plans, and he has proceeded on that basis.

Matters arising since the close of the inquiry

7. The Secretary of State has received requests from both Guildford Borough Council (dated 30 May 2018) and Savills (dated 30 January, 13 March, 6 June and 11 June 2018) all requesting that he delay his decision, together with a letter from the Wisley Action Group and Ockham Parish Council (dated 30 May 2018) asking him to adhere to his published timetable. He has also received a letter from Anne Milton MP about issuing this decision during Guildford's Local Plan Inquiry. Careful consideration has been given to delaying this decision, but in view of the range of factors to be resolved, we have concluded that the most satisfactory approach would be to decide the appeal today. All these letters are being replied to separately today.
8. A number of representations were received following the close of the inquiry. The Secretary of State is satisfied that the issues raised do not affect his decision, and no new issues were raised in this correspondence to warrant further investigation or necessitate referrals back to parties. A list of representations received (including those referred to in paragraph 7) is at Annex A and copies may be obtained from the address at the foot of the first page of this letter.
9. Five applications for full awards of costs were made by the Cobham Conservation and Heritage Trust; East and West Horsley Parish Councils; Mr G B and Mrs A Paton; Ripley Parish Council; and Wisley Action Group & Ockham Parish Council against Wisley Property Investments Limited (IR1.1). These applications are the subject of separate decision letters.

Policy and statutory considerations

10. In reaching his decision, the Secretary of State has had regard to section 38(6) of the Planning and Compulsory Purchase Act 2004 which requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise.
11. In this case the development plan consists of the saved policies of the Guildford Borough Local Plan 2003 (GBLP), a saved policy in the South East Plan 2009 (SEP); and the

Surrey Waste Plan 2008 (SWP). The Secretary of State considers that the development plan policies of most relevance to this case are those set out at IR5.3 – 5.7.

12. Other material considerations which the Secretary of State has taken into account include the National Planning Policy Framework ('the Framework') and associated planning guidance ('the Guidance').
13. In accordance with section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the LBCA Act), the Secretary of State has paid special regard to the desirability of preserving those listed buildings potentially affected by the proposals, or their settings or any features of special architectural or historic interest which they may possess.
14. In accordance with section 72(1) of the LBCA Act, the Secretary of State has paid special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

Emerging plans

15. The emerging local plan (eLP) (IR5.8-5.11) was submitted for independent examination on 13 December 2017. The Secretary of State considers that relevant policies include A35 and A43a. As it has not yet completed its examination, objections are not yet fully resolved, and its policies are still subject to change, he considers the eLP carries limited weight.
16. The Council designated the Lovelace Neighbourhood Area on 2 July 2015 as a Neighbourhood Plan area (IR5.13). This includes the whole of the appeal site but, as no documents have yet been published, the Secretary of State gives it no weight.

Main issues

Green Belt

17. The Secretary of State agrees that the proposal would represent inappropriate development in the Green Belt (IR20.30), and considers that this carries substantial weight. In accordance with paragraph 87 of the Framework, inappropriate development should not be approved except in very special circumstances.
18. For the reasons given at IR20.32 – 20.37, the Secretary of State agrees with the Inspector that the scheme would conflict with two of the five purposes of the Green Belt as it would neither assist in safeguarding the countryside from encroachment nor assist in the regeneration of urban land due to the rural location. He also agrees that the scheme would reduce the openness of this part of the Green Belt (IR20.38).
19. Overall, the Secretary of State agrees with the Inspector that the harm to the Green Belt would be very considerable (IR20.38); and that this would be in conflict with the primary expectations of paragraph 79 of the Framework and Policy RE2 of the GBLP. He gives this substantial weight and has gone on to consider whether the harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations and whether very special circumstances exist to justify the development.
20. The Secretary of State notes that eLP draft policy A35 proposes that Wisley Airfield removed from the Green Belt to provide a residential led mixed use development for

about 2,000 homes and various elements of infrastructure, including access to and from the A3 (IR5.9-5.11), but he gives that proposal limited weight (see paragraph 14 above).

Housing land supply

21. Given that, as the main parties agree, the Council cannot demonstrate a five-year housing land supply and the current supply is about 2.36 years (IR20.39), the Secretary of State agrees with the Inspector that this represents a significant shortfall against the annual requirement set out in the SHMA and the delivery of up to 2,068 homes, 40% of which will be affordable, carries significant weight in favour of the scheme (IR20.83).

Thames Basin Heaths Special Protection Area (SPA)

22. For the reasons given at IR20.43 – 20.48, the Secretary of State agrees with the Inspector that, overall, the proposals would provide a suitable quantity of Suitable Alternative Natural Greenspace (SANG) and that, with careful management, it should be of suitable quality. He further agrees with the Inspector that, subject to the proposed conditions and the s.106 Agreement, the development would not have an unacceptable likely significant effect on the SPA.

Strategic road network (SRN)

23. The Secretary of State has carefully considered the Inspector's analysis at IR20.52–20.58 and agrees with his conclusion (IR20.59) that the proposed development would have a severe impact on the northbound section of the SRN between the Ockham Interchange and J10 of the M25 and this would be harmful to highway safety and contrary to advice in the Framework. He further notes that Highways England has maintained their objection. The Secretary of State, like the Inspector, gives this objection substantial weight against the proposal.

The local road network

24. For the reasons given at IR20.60–20.69, the Secretary of State agrees with the Inspector that, overall, the proposal would not be likely to result in unacceptable harm to the local road network subject to the implementation of the off-site works which would be provided in accordance with the s.106 Agreement (IR20.70).

Transport sustainability

25. For the reasons given at IR 20.71–20.80, the Secretary of State agrees with the Inspector's conclusion at IR20.81 that, overall, the proposals go a long way towards making the location more sustainable, as sought in paragraph 17 of the Framework. However, he agrees with the Inspector that the proposal would not be in full accord with emerging Policy A35 of the eLP as it would fail to provide the required cycling improvements, and he gives limited weight to that. The Secretary of State also gives limited weight to the concerns of Surrey County Council (SCC) that the appeal site is not a suitable location for an all-through school to serve the wider community (IR20.81).

Loss of major safeguarded site in Surrey Waste Plan (SWP)

26. For the reasons given at IR20.84–20.85, the Secretary of State agrees with his conclusion at IR20.86 that the conflict with the SWP carries very little weight.

Character and appearance of the area

27. The Secretary of State has carefully considered the Inspector's assessment of the effect of the proposal on the character and appearance of the area at IR20.87–20.99 and agrees that, although some of the harmful impacts on the appearance of the area could be partially mitigated by extensive landscaping, this would not disguise the basic fact that a new settlement in a rural area would, inevitably, cause substantial harm to both its character and its appearance. The Secretary of State agrees that this would be irreversible and contrary to Policies G1 and G5 of the GBLP; and that this harm carries significant weight against the development in the overall planning balance.

The effect of the proposals on nearby heritage assets

28. The Secretary of State has carefully considered the Inspector's analysis of the potential impact of the proposals on heritage assets at IR 20.101–20.124. He agrees that, in all cases, this would amount to less than substantial harm, and he gives this harm moderate weight, but agrees that this needs to be weighed against the public benefits of the proposal (see paragraph 38 below).

Air quality impact

29. For the reasons given at IR20.128–20.132, the Secretary of State agrees with the Inspector that there is no evidence to suggest that the proposal would harm air quality in Ripley. He also agrees (IR20.133–20.143) that there is no evidence to demonstrate that the changes in air quality, either individually or in combination with other developments, are likely to have significant effects or undermine the conservation objectives for the SPA. He therefore also agrees that no Appropriate Assessment is required and the matter is neutral in the overall balance.

Provision for community and other facilities

30. The Secretary of State agrees with the Inspector (IR 20.145) that the financial contributions towards police and libraries, together with the provision of facilities for an on-site police presence are beneficial to both the future residents of the development and to nearby residents. He gives this limited weight in favour of the scheme. However, he also agrees that the provision for a health centre and nursery and primary education facilities are no more than mitigation and are neutral in the overall balance (IR20.146). He also agrees with the Inspector that, for the reasons given at IR20.147-20.148, the provision of a secondary education facility cannot carry weight in favour of the proposals.

Other harm

31. With regard to the potential impact of the retail element of the proposal on the vitality and viability of existing district and local centres, the Secretary of State agrees with the Inspector (IR20.150-20.151) that the likelihood of trade diversion seems remote. Turning to the loss of BMV agricultural land, the Secretary of State agrees with the Inspector (IR20.152) that, although only about 19ha of BMV would be built on, some 44ha of BMV would no longer be available for agriculture, and that this loss weighs against the proposals and is attributed considerable weight. The Secretary of State has also carefully considered the scheme's potential impact on residential amenity, but he agrees with the Inspector's analysis at IR20.153-20.156 and, overall, gives limited weight to the issues identified.

Other material considerations

32. The Secretary of State has also carefully considered the Inspector's analysis of the fourteen other material considerations advanced by the appellant in support of the scheme (IR20.157–20.192). The Secretary of State agrees with the Inspector that there is a degree of overlap between them and that many of the purported benefits are little more than mitigation, while the benefits for the wider community, outside the appeal site, are rather more limited (IR22.12).

Planning conditions

33. The Secretary of State has given careful consideration to the Inspector's analysis at IR18.1-18.11, the recommended conditions set out at Annex 4 to the IR and the reasons for them, and to national policy in paragraph 206 of the Framework and the relevant Guidance. He is satisfied that the conditions recommended by the Inspector comply with the policy test set out at paragraph 206 of the Framework. However, he does not consider that the imposition of these conditions would overcome his reasons for dismissing this appeal and refusing planning permission.

Planning obligations

34. The Secretary of State notes that SCC, as Education Authority, consider that it has not been demonstrated that there is a need for the secondary school element on this site and wish to maintain their flexibility to provide the secondary school elsewhere (IR21.3). This has resulted in two planning obligations; with a second, stand-alone planning obligation between the Appellant and the Council to provide an all through primary and secondary school should the secondary school element be needed on the appeal site. The Secretary of State has given limited weight to the concerns of SCC - see paragraph 24 above.

35. Having had regard to the Inspector's analysis at IR19.1-19.12, the two planning obligations both dated 9 November 2017, paragraphs 203-205 of the Framework, the Guidance and the Community Infrastructure Levy Regulations 2010, as amended, the Secretary of State agrees with the Inspector's conclusion for the reasons given in IR21.2-21.3 that the obligations comply with Regulation 122 of the CIL Regulations and the tests at paragraph 204 of the Framework. However, the Secretary of State does not consider that the obligations overcome his reasons for dismissing this appeal and refusing planning permission.

Planning balance and overall conclusion

36. For the reasons given above, the Secretary of State considers that the appeal scheme is not in accordance with Policy RE2 of the development plan, and is not in accordance with the development plan overall. He has gone on to consider whether there are material considerations which indicate that the proposal should be determined other than in accordance with the development plan.

37. As there is no 5-year housing land supply, paragraph 14 of the Framework indicates that planning permission should be granted unless (a) any adverse impacts of doing so significantly and demonstrably outweigh the benefits, when assessed against policies in the Framework as a whole or (b) specific policies in the Framework indicate development should be restricted.

38. In this case the Secretary of State considers that the definitional harm to the Green Belt and the harm to openness each carry substantial weight against the proposal. He also considers that the proposals would have a severe impact on the northbound section of the A3 and that this harm to highway safety conflicts with advice in the Framework and carries further substantial weight against the proposals. He also considers that the harm to the character and appearance of the area carries significant weight and that the 'less than substantial' harm to the identified heritage assets carries moderate weight.
39. The loss of BMV agricultural land; loss of privacy for residents of two adjoining dwellings and the loss of a safeguarded waste site carry limited weight against the scheme.
40. The Secretary of State considers that the principal benefit is the provision of homes including market and affordable housing, sheltered housing/ extra care homes and traveller pitches. Although there is an acknowledged and pressing need for housing in the Borough, the scale of the need and the requirement has not yet been fully tested in the Local Plan context. The Secretary of State also acknowledges that the site forms part of a larger parcel of land allocated in the eLP for a residential lead mixed use development. Nonetheless, the Secretary of State considers the provision of up to 2,068 new homes carries significant weight in favour of the development.
41. He also considers that both the residual effect on employment during construction and the provision of employment space are likely to have a beneficial impact on the wider area and carry some weight in the scheme's favour and the provision of public transport carries limited weight as do improvements to cycle routes which primarily benefit the site residents. The other benefits which go beyond mitigation include the re-use of PDL, although this weight is limited by the amount of agricultural land that would be lost. The flood alleviation at Ockham Interchange carries only limited weight as it has not been shown that this is the only way in which this issue could be addressed.
42. Overall, the Secretary of State concludes that the harm caused by the inappropriate nature of the proposal in the Green Belt and any other harm would not be clearly outweighed by other considerations and thus it has not been demonstrated that the very special circumstances exist to justify development in the Green Belt.
43. The Secretary of State has considered Paragraph 134 of the Framework, which states that the harm to heritage assets should be weighed against the public benefits of the proposal. He considers that the public benefits of the proposal would outweigh the harm and that therefore paragraph 134 is favourable to the proposal.
44. The Secretary of State concludes that there are no material considerations to indicate that the appeal proposal should be determined other than accordance with the development plan and that the appeal should be dismissed and planning permission refused.

Formal decision

45. Accordingly, for the reasons given above, the Secretary of State agrees with the Inspector's recommendation. He hereby dismisses your client's appeal and refuses planning permission for the phased development of a new settlement of up to 2068 dwellings incorporating up to 60 sheltered accommodation units and 8 gypsy and traveller pitches and associated infrastructure including accesses onto the A3 (Ockham Interchange), Ockham Lane and Old Lane and revised access to Elm Corner, a secondary school, a primary school, community provision, nursery provision, health

facility, a local centre (incorporating food & drink, retail, a visitor centre and offices), employment area, sports and recreational facilities (incorporating a floodlit sports pitch and pavilion); Sustainable Drainage Systems and an area of Suitable Alternative Natural Greenspace incorporating a landform feature and car parking; the erection of associated utilities infrastructure; the development proposal to incorporate the demolition/removal of the runway and VOR Beacon (and any associated outbuildings), in accordance with application reference 15/P/00012, dated 16 December 2014 (as amended)

Right to challenge the decision

46. A separate note is attached setting out the circumstances in which the validity of the Secretary of State's decision may be challenged. This must be done by making an application to the High Court within 6 weeks from the day after the date of this letter for leave to bring a statutory review under section 288 of the Town and Country Planning Act 1990.

47. A copy of this letter has been sent to Guildford Borough Council, and notification has been sent to others who asked to be informed of the decision.

Yours faithfully

Jean Nowak

Authorised by the Secretary of State to sign in that behalf

Annex A – Schedule of representations received since the inquiry

General representations received

Party	Date
Mrs D K Hurdle, Clerk, Send Parish Council	10/10/2017
Mr Patrick Sheard	19/10/2017
Helen Cowell	20/10/2017
John Burns	22/10/2017
Mary Pargeter	26/10/2017
Katharine Paulson	26/10/2017
Paul Sherman, Guildford Borough Council	05/01/2018
Charles Collins, Director, Savills	30/01/2018
Charles Collins, Director, Savills	13/03/2018
Wisley Action Group and Ockham Parish Council	24/04/2018
Ben Paton	25/05/2018
Tracey Coleman, Guildford Borough Council	30/05/2018
Alison Tero, Senior Director, CBRE Ltd	01/06/2018
Charles Collins, Director, Savills	06/06/2018
Rt Hon Anne Milton MP	07/06/2018
Charles Collins, Director, Savills	11/06/2018



Report to the Secretary of State for Housing, Communities and Local Government

by Clive Hughes BA(Hons) MA DMS MRTPI

an Inspector appointed by the Secretary of State

Date: 1 March 2018

TOWN AND COUNTRY PLANNING ACT

GUILDFORD BOROUGH COUNCIL

APPEAL BY

WISLEY PROPERTY INVESTMENTS LIMITED

Inquiry Opened on 19 September 2017

Land at Wisley Airfield, Hatch Lane, Ockham, Surrey GU23 6NU

File Ref: APP/Y3615/W/16/3159894

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List of abbreviations used in this Report:

µg/m ³	Micrograms per cubic metre
ACV	Asset of Community Value
ALC	Agricultural Land Classification
AONB	Area of Outstanding Natural Beauty
AQMA	Air Quality Management Area
BMV	Best and most versatile (agricultural land)
CCHT	Cobham Conservation & Heritage Trust
CHS Regs	Conservation of Habitats and Species Regulations 2010
CIL Regs	Community Infrastructure Levy Regulations 2010 (as amended)
DCLG	Department for Communities and Local Government
DEFRA	Department for Environment, Food and Rural Affairs
DMRB	Design Manual for Roads and Bridges
dpa	Dwellings per annum
dpha	Dwellings per hectare
EBC	Elmbridge Borough Council
EHPC	East Horsley Parish Council
EiP	Examination in Public
eLP	The emerging Guildford Borough Local Plan (Regulation 19 consultation version) (June 2017)
Framework	The National Planning Policy Framework 2012
FTE	Full time equivalent
GBC	Guildford Borough Council
GBCS	Green Belt and Countryside Study (Pegasus) (2013/5)
GBLCA	Guildford Borough Landscape Character Assessment (2007)
GBLP	Guildford Borough Local Plan (adopted January 2003)
GPA	Historic Environment Good Practice Advice in Planning, Note 3 (2015)
HE	Highways England
HistE	Historic England
IAMS	Impact Avoidance and Mitigation Strategy
IVC	In-Vessel Composting Facility
LDS	Local Development Scheme
LRN	Local road network
LSE	Likely significant effect
LVIA	Landscape and Visual Impact Assessment
M25 (J10)	Junction 10 of the M25 motorway (junction between M25 and A3)
MUGA	Multi-use games area
ND	Nitrogen deposition
NE	Natural England
NMU	Non-motorised users
NO ₂	Nitrogen dioxide
NO _x	Nitrous oxides
OPC	Ockham Parish Council
PC	Parish Council
PDL	Previously developed land
PIM	Pre Inquiry Meeting
PPG	The National Planning Practice Guidance
PROW	Public right of way

RHS	Royal Horticultural Society (Wisley)
RIS Scheme	Road Investment Strategy Scheme (A3/ M25 Junction 10)
RPC	Ripley Parish Council
RSPB	The Royal Society for the Protection of Birds
SA	Sustainability Appraisal
SAC	Special Area of Conservation
SAMM	Strategic Access Management and Monitoring
SANG	Suitable Alternative Natural Greenspace
SCC	Surrey County Council
SEP	South East Plan 2009
SHMA	Strategic Housing Market Assessment
SoCG	Statement of common ground
SoS	Secretary of State for Housing, Communities and Local Government
SPA	Special Protection Area
SRN	Strategic road network
SSSI	Site of Special Scientific Interest
SWP	Surrey Waste Plan 2008
SWT	Surrey Wildlife Trust
TBHSPA	Thames Basin Heaths Special Protection Area
vpd	Vehicles per day
vph	Vehicles per hour
VSC	Very special circumstances (paragraphs 87 & 88 of the Framework)
WACT	Wisley Airfield Community Trust
WAG	Wisley Action Group
WHPC	West Horsley Parish Council
WPIL	Wisley Property Investments Limited (the Appellant)
WWII	World War II

File Ref: APP/Y3615/W/16/3159894

Land at Wisley Airfield, Hatch Lane, Ockham GU23 6NU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
- The appeal is made by Wisley Property Investments Limited against the decision of Guildford Borough Council.
- The application Ref 15/P/00012, dated 16 December 2014, was refused by notice dated 11 April 2016.
- The development proposed, as revised, is the phased development of a new settlement of up to 2068 dwellings incorporating up to 60 sheltered accommodation units and 8 gypsy and traveller pitches and associated infrastructure including accesses onto the A3 (Ockham Interchange), Ockham Lane and Old Lane and revised access to Elm Corner, a secondary school, a primary school, community provision, nursery provision, health facility, a local centre (incorporating food & drink, retail, a visitor centre and offices), employment area, sports and recreational facilities (incorporating a floodlit sports pitch and pavilion). Sustainable Drainage Systems and an area of Suitable Alternative Natural Greenspace incorporating a landform feature and car parking. The erection of associated utilities infrastructure. The development proposal to incorporate the demolition/ removal of the runway and VOR Beacon (and any associated outbuildings).
- The inquiry sat for 21 days between 19 September and 25 October 2017.

Summary of Recommendation: That the appeal be dismissed.

1. Procedural Matters

- 1.1 At the Inquiry five separate applications for costs were made by seven of the Rule 6(6) parties (two were joint applications) against the Appellant, Wisley Property Investments Limited (WPIL). These applications are the subject of separate Reports.
- 1.2 On 31 October 2016 the Secretary of State (SoS) directed that he would determine this appeal. The reason for this direction is that the appeal involves proposals for residential development of over 150 units or on a site of over 5ha, which would significantly impact on the Government's objective to secure a better balance between housing demand and supply and create high quality, sustainable, mixed and inclusive communities and proposals for significant development in the Green Belt.
- 1.3 The planning application was made in outline form with all matters other than access into the site reserved for future consideration. The site is also known locally as Three Farm Meadows and is referred to as such in some of the representations, especially those from local residents.
- 1.4 There is a typographical error in Guildford Borough Council's (GBC) decision notice in that it refers to "up to 100 sheltered accommodation units" whereas the correct wording should be "up to 60 sheltered accommodation units". The total number of units, 2068, as set out in the decision notice is correct. The decision notice listing the reasons for refusal is in the Core Documents at CD6.3
- 1.5 The Wisley Action Group (WAG), Ockham Parish Council (OPC), East Horsley Parish Council (EHPC), West Horsley Parish Council (WHPC), Ripley Parish Council (RPC), Cobham Conservation & Heritage Trust (CCHT), Mr and Mrs Paton and Highways England (HE) were each afforded Rule 6(6) party status and presented evidence accordingly in respect of their objections to the proposals. The evidence of WAG and OPC and the evidence of EHPC and WHPC were presented jointly. The Royal Society for the Protection of Birds (RSPB) was also afforded Rule 6(6) party status but opted to present a written statement rather than present evidence at the Inquiry (PID5).

- 1.6 GBC did not pursue reason for refusal 6 concerning the impact of the proposed development on the vitality and viability of existing district and local centres and so produced no evidence on this matter. This reason for refusal was only pursued by one of the Rule 6(6) parties, RPC, who expressed various concerns about the potential impact on businesses in Ripley, particularly if a superstore is provided, but adduced no evidence to support those concerns and asked no relevant questions of the Appellant. The issue was not referred to in the RPC closing submissions.
- 1.7 In addition to reason for refusal 6, at the Inquiry GBC did not pursue reasons for refusal 2 (effect on the Thames Basin Heaths Special Protection Area (TBHSPA)); 3 (impact on the strategic and local road networks); 4 (sustainable transport options); 5 (affordable housing); 7 (loss of safeguarded waste site); 9 (effect on the setting of a heritage asset, Yarne); 10 (air quality); 11 (education infrastructure); 12 (policing); 13 (health infrastructure); and 14 (library provision). This was based upon additional information from the Appellant and the provisions of the s106 Agreements. Notwithstanding the position of GBC, these reasons for refusal were all pursued by other parties at the Inquiry.
- 1.8 The planning application was originally submitted to GBC on 16 December 2014. A number of amendments were submitted by the Appellant in December 2015, February 2016 and March 2016. The amendments are detailed in paragraphs 3.2 to 3.3 of the Statement of Common Ground (SoCG) between the Appellant and GBC (CD12.3). The relevant plans are listed at the end of this Report.
- 1.9 Prior to the Pre-Inquiry Meeting (PIM) the Appellant submitted five amended plans making minor revisions to the plans determined by GBC. The amendments to the Masterplan are illustrative and are not for determination now. The changes update the plan in accordance with comments made during the application process and in the reasons for refusal. Two other plans, Drawings No 1715/SK/09 and 10 Rev B show revisions to the densities and storey heights, in particular in the south east corner of the site close to Yarne, a Grade II listed building, to reduce the impact on the setting of that dwelling.
- 1.10 The other two plans, Drawings No 0934/SK/005/F and 025/J show minor alterations to the proposed access to the site from the A3 at Ockham Interchange and to the eastern site access. These changes are in response to Surrey County Council's (SCC) Road Safety Audit. All the changes are minor and this is an outline application. GBC carried out consultation on the amended plans in July 2017 and a summary of the responses is set out in Section 17. The parties also had the opportunity to respond to the amended plans at the Inquiry. I do not consider that any party is prejudiced by the consideration of these amended plans and I have used them for this Report.
- 1.11 I made an unaccompanied visit to the site and surrounding area on 5 September 2017, before the Inquiry opened. I carried out an accompanied visit to the site and its immediate surroundings on 24 October 2017 in accordance with the suggested itinerary (ID92). I carried out a further unaccompanied site visit to view various other sites and viewpoints, including from RHS Wisley, on 25 October in accordance with the suggested itineraries for the wider area (ID92 and ID96).
- 1.12 A Pre-Inquiry Meeting was held on 5 July 2017. A copy of the agenda is set out at PID1 and the notes of the meeting are at PID3. At the PIM the main issues were agreed (PID2); these are listed at Annex 3. Prior to the opening of the Inquiry I issued a draft Programme (PID4).

- 1.13 On two occasions during the Inquiry I was required to make rulings on the admissibility of documents and plans that parties wished to submit. These rulings are set out at Annex 1 and Annex 2 to this Report.

2. The Site and its Surroundings

- 2.1 The site has an area of about 114.7ha and is strongly linear in shape, having a length of about 2.5km and a maximum width of about 0.6km. It comprises the former Wisley Airfield which was constructed in 1944 for the testing of aircraft and which closed in 1979. The majority of the buildings were subsequently demolished although the runway and some hardstandings remain as does a building adjacent to the Ockham Lane access. There is a facility known as "The Beacon" within the site which is the Ockham VHF Omni-directional Range VOR and Distance Measuring Equipment, accessed from Ockham Lane.
- 2.2 Some 29.9ha (about 26%) of the site remains hard surfaced and so comprises previously developed land (PDL) with the rest comprising a mix of arable agricultural uses, woodland and scrub grassland. There are several public footpaths and bridleways that cross the site, generally running either east/ west (parallel to the runway), or north/ south linking the hamlets. They run from Ockham Lane and other footpaths to the south through to the open land and TBHSPA to the north. These public rights of way (PROWs) are the only public access onto the site.
- 2.3 The site is located to the north east of Guildford with the A3 to the west/ north west and, further north, the M25 motorway and its Junction 10 (M25 (J10)) with the A3. More immediately the site is bounded by Old Lane to the east while to the south is Ockham Lane, agricultural land and other vegetation with, further south, Ockham, part of which is designated as a Conservation Area. In the south west corner there is some woodland and the Stratford Brook. To the west lies the A3 and the roundabout junction at Ockham Interchange with the A2215 heading south towards Ripley and north to where it filters into the A3. To the north are dwellings at Elm Corner, open land at Ockham and Wisley Commons and "Snakes Field" which is open grassland.
- 2.4 In the south east corner, and immediately abutting the site, is Yarne, a Grade II Listed Building that has a core dating from C15. Other listed buildings to the south of the appeal site include the Grade II listed Appstree Farmhouse and Upton Farmhouse. Further north, on the opposite side of the A3, lies the Royal Horticultural Society (RHS) gardens of Wisley which are a Grade II* Registered Park and Garden and to the north east lies Chatley Semaphore Tower (a Grade II* listed building) which is within Elmbridge Borough Council (EBC).
- 2.5 Apart from agricultural uses, the Beacon and the PROWs the land is currently disused, although there have been intermittent uses such as use as a film set and for parking. The Beacon is scheduled to be removed as part of a national programme that runs for about the next 5 years. The site is largely open, although there are barriers and some mounding to discourage the use of the runway by motorcycles.
- 2.6 The appeal site lies at the heart of the parish of Ockham whose boundaries are roughly star-shaped. The parish of Ockham comprises a community of small hamlets and dwellings scattered over a wide area. Ockham, with its Grade I listed Church of All Saints is the largest of the hamlets. The other settlements are dotted around the parish, with three of them, Elm Corner, Martyr's Green and Hatchford End all more-or-less abutting the appeal site to the north and east. Outside these small settlements the area is characterised by narrow lanes, high hedges, public footpaths

and intermittent houses and farms. Fields tend to be relatively small, often separated by hedges that include mature trees, and there are several significant areas of woodland. Taken as a whole, the parish exudes a quiet, enclosed, rural character, in stark contrast to the openness of much of the appeal site.

- 2.7 Further afield are larger settlements such as Cobham, Ripley, East Horsley and West Horsley which provide shops and services. There are railway stations at Horsley, Effingham Junction and Woking with regular services to Guildford and London. The Borough boundary with EBC is very close to the eastern boundary of the site, running down the eastern side of Old Lane. Some of Martyr's Green, including the Black Swan PH, is within EBC.
- 2.8 The topography of the site is an important characteristic as it lies on a ridge that runs parallel with the runway. There is a slight slope downhill from east to west, with the highest part of the land adjacent to Yarne in the south east corner. The land falls away to the north and, especially, to the north-western boundary close to the A3. The fall in the land level towards the western boundary is due to the land having been engineered to create a level runway. Some way to the south, but clearly visible from within the site, lie the North Downs, designated as the Surrey Hills Area of Outstanding Natural Beauty (AONB). This topography is best illustrated in document WPI/2/1 (page 11).

3. The Proposals

- 3.1 It is proposed to construct a new settlement of 2068 dwellings comprising 1200 units of market housing; 800 units of affordable housing; 60 units of sheltered housing; and 8 pitches for use by travellers. The scheme is in outline form but the indicative market housing mix would comprise 255 no 2-bed apartments; 63 no 3-bed apartments; 393 no 3-bed houses; and 489 no 4+bed houses. The affordable housing would comprise 238 no 1-bed apartments; 237 no 2-bed apartments; 125 no 3-bed houses; and 200 no 4-bed houses.
- 3.2 The scheme also proposes about 2,240 sq m of retail floorspace (A1, A2, A3, A4, A5); 1,790 sq m of offices (B1); 2,500 sq m of general industrial, storage and distribution (B2/ B8); and 730 sq m of health centre. There would be around 50ha of SANG; 5.85ha of playing fields; and 6.8ha of children's play space (including 1.3ha of equipped play space). The SANG would be mostly sited to the north of the site, its southern edge following the boundary of the 400m SPA "exclusion zone".
- 3.3 The indicative masterplan shows a linear form of development with a central spine road running east/ west across the site. The new village centre would be located towards the centre of the site. Housing would generally be in the range of 2 to 5 storeys with the taller buildings fronting the central spine road.
- 3.4 The site would have an access from the A3 Ockham Interchange and a second access to Old Lane to the east. The existing access to Ockham Lane would be closed to motor vehicles. The s106 agreement secures various off-site highway works. The PROWs across the site would all be retained on their current alignments. A tump would be created in the north west of the site with a maximum height of around 60m to allow views over the housing to the Surrey Hills to the south.

4. Planning History

- 4.1 There have been various planning applications for the use of the site for filming works for temporary periods. The details of these are set out in the Officers' report

to GBC's Planning Committee on 6 April 2016 (CD6.1). The only previous planning application for the site which is directly relevant to this appeal concerns a proposal for an In-Vessel Composting Facility (IVC). This scheme included a building some 160m by 70m situated close to the north western corner of the current appeal site. The building would have had a ridge height of 11.7m with chimney stacks extending some 9.2m above the ridge. While it would have been situated in one of the lowest parts of the site, it would nonetheless have been in a highly visible position as it would have been close to a bridleway (BW544) and public footpath (FP13).

- 4.2 Planning permission for this facility was granted on appeal in March 2010¹. Subsequent to that permission condition 10 was varied to allow the phased construction of its site access. While the IVC itself has not been built, a start was made on its vehicular access from Ockham Interchange in accordance with the amended scheme and in accordance with its approved timetable. As a start has been made on the access the planning permission remains extant. The access is similar to that intended to serve the current proposals.

5. Planning Policy

- 5.1 The development plan includes the saved policies of the Guildford Borough Local Plan 2003 (GBLP) (CD8.1); a saved policy in the South East Plan 2009 (SEP) (CD8.3); and the Surrey Waste Plan 2008 (SWP) (CD8.4). The emerging plans include the Guildford Borough Proposed Submission Local Plan: strategy and sites (June 2017) (eLP) (CD8.24) and the Lovelace Neighbourhood Plan (NP).
- 5.2 Several saved policies in the GBLP are relevant to this appeal. It is also noteworthy that none of the policies in the GBLP relating to housing land supply were saved and so there are no extant relevant housing land supply policies. GBC has agreed with the Appellant that it cannot demonstrate a five-year housing land supply.
- 5.3 The principal relevant saved GBLP policies are Policies RE2, G1, G5, G6, G12, H11 and NE2. Ockham, the nearest settlement of any size to the appeal site, is not identified as a settlement within the Green Belt for the purposes of Policy RE3 (Identified settlements in the Green Belt) and does not have a defined settlement boundary.
- 5.4 Policy RE2 (Development within the Green Belt) says that new development in the Green Belt will be deemed inappropriate unless it is for one of six identified uses. The policy does not suggest that inappropriate development should not be approved except in very special circumstances (VSC) although this is implied in the text. Policy G1 (General standards of development) sets out various requirements for new development. Policy G5 (Design code) sets out design requirements. Policy G6 (Planning benefits) says that GBC will seek the provision of suitable planning benefits from developers. Policy G12 says that development generating significant numbers of trips will only be allowed in locations highly accessible by public transport and served by existing cycle and pedestrian routes. In other locations improvements to public transport services and improved access for cyclists and pedestrians is sought.
- 5.5 Policy H11 (Affordable housing) says that an element of affordable housing will be sought for all developments of 15 or more dwellings. A contribution of at least 30% will be sought from unidentified sites in excess of the threshold which may come

¹ Ref: APP/B3600/A/09/2098568 (March 2010): CD4.10

forward. Policy NE2 (SSSIs) says that development that would harm SSSIs will not be permitted unless the reasons for the development clearly outweigh the intrinsic value of the site itself.

- 5.6 The SEP was largely revoked on 25 March 2013. Policy NRM6 (TBHSPA) was saved and is extant. This policy says that new residential development that is likely to have a significant effect on the ecological integrity of the TBHSPA will be required to demonstrate that adequate measures are put in place to avoid or mitigate any potential adverse effects. Such measures must be agreed with Natural England (NE). The policy establishes a 5km zone of influence from the SPA boundary and within this zone there is a 400m "exclusion zone" where mitigation measures are unlikely to be capable of protecting the integrity of the SPA. It also sets out the standards that apply where the mitigation takes the form of the provision of Suitable Alternative Natural Greenspace (SANG).
- 5.7 The SWP was adopted in May 2008 and amended by order of the High Court on 5 March 2009. Policy WD2 (Recycling, storage, transfer, materials recovery and processing facilities (excluding thermal treatment)) allocates a parcel of land of some 17ha within the appeal site as one of 13 sites where planning permission will be granted provided the proposals meet the development criteria and where VSC can be demonstrated for development in the Green Belt. Policy DC1 safeguards these sites from non-waste development.
- 5.8 The timetable for the eLP was initially set out in the Local Development Scheme (LDS) (2015) which set out a submission date of December 2016 with adoption in December 2017. Following the Regulation 19 consultation amendments were proposed which resulted in a further round of public consultation. The revised LDS envisages submission in December 2017 leading to adoption a year later.
- 5.9 Policy A35 of the eLP relates specifically to the former Wisley Airfield. The plan accompanying this policy has been amended (ID17) to include the land to the north and more land at Martyr's Green. It is a large site, including the entire appeal site, which would be removed from the Green Belt. It also includes some agricultural land to the south around Bridge End Farm and a few dwellings at Martyr's Green. The policy seeks a residential led mixed use development for about 2,000 homes, about 100 sheltered/ extra care homes and 8 traveller pitches. In addition it proposes about 1,800 sq m of employment floorspace (Class B1a); 2,500 sq m of employment floorspace (B2/ B8); 500 sq m of comparison retail (A1); 600 sq m of convenience retail (A1); 550sq m of services in a new local centre (A2-A5); 500 sq m of community uses in the local centre (D1); a primary school and a four-form entry secondary school.
- 5.10 The policy requires various elements of infrastructure, including primary access from the Ockham Interchange with the A3 with a vehicular link through to Old Lane. Other off-site works are mentioned including the A3/ M25 (J10) works; works in Ripley High Street; at the junctions between Ripley High Street and Newark Lane/ Rose Lane; and on rural roads surrounding the site.
- 5.11 Policy A43a and appendix C sets out the infrastructure schedule which includes SRN9 and SRN10 for new north-facing slip roads at the A3 Burnt Common (A247) junction.
- 5.12 Several other policy documents were referred to at the Inquiry. In particular GBC's Green Belt and Countryside Study (2013/5) (GBCS). This is an evidence document prepared for GBC by external consultants and its conclusions have not been tested.

- 5.13 Concerning the emerging NP, GBC designated the Lovelace Neighbourhood Area on 2 July 2015. This follows the boundary of the Lovelace Ward and includes the whole of the appeal site. Various meetings were referred to at the Inquiry but no documents have yet been published. This emerging NP carries no weight at this stage.
- 5.14 Also relevant are the National Planning Policy Framework (the Framework) and the Planning Practice Guidance (PPG). In respect of the Framework, of particular relevance are the section on Achieving Sustainable Development; as well as chapters 4 (promoting sustainable transport); 6 (delivering a wide choice of high quality homes); 9 (protecting Green Belt land); 11 (conserving and enhancing the natural environment); 12 (conserving and enhancing the historic environment); and Annex 1 (Implementation).

6. Other Agreed Facts

- 6.1 The whole site lies within the Metropolitan Green Belt although it forms part of a larger parcel of land that is proposed for release from the Green Belt in the Regulation 19 version of the eLP. There is no public access to any part of the site other than on the PROWs.
- 6.2 The Appellant and GBC agree that there is a significant under-provision of deliverable sites for housing such that GBC cannot provide five years' worth of housing against the requirements. Based upon the eLP's objectively assessed housing needs GBC can demonstrate about 2.36 years' supply (using an agreed 20% buffer). The Appellant and GBC agree that the appeal site could contribute some housing in the next 5 years, but the site would mainly make a significant contribution to the housing land needed in the Borough in years 6 to 10.

There follows a summary of the main points raised by the Appellant, GBC and each of the 6 Rule 6(6) parties. The summaries are based on the closing submissions of the parties; the full submissions are in the Inquiry Documents (IDs).

7. The Case for Wisley Property Investments Limited (ID125)

Introduction

- 7.1 The appeal scheme comprises a new sustainable settlement of up to 2,068 dwellings (of which 40% would be affordable housing) together with community provision, nursery provision, primary school, secondary school, health facility, local centre, employment area and sports and recreation facilities including an area of SANG. The context in the Borough is an acute need for market and affordable housing; the current supply is 2.36 years and it is agreed that there will have to be the release of Green Belt land for the need to be met. The site contains the largest area of PDL within GBC's Green Belt.
- 7.2 GBC does not have a post-2004 local plan. The planning application was made to support the eLP but the local plan process has been delayed by a number of years. But for that delay the site would have been removed from the Green Belt and allocated. As it stands it is the largest part of a site allocated in the eLP for a residential/ mixed use development under draft Policy A35. It is critical to GBC being able to meet its housing needs, especially in the first 10 years of the plan. The 2017 Sustainability Appraisal (SA)² identifies the settlement as a "given". GBC considers

² CD8.31 para 6.6.12

that the exceptional circumstances necessary to justify removing the site from the Green Belt are present but that the necessary VSC are absent. The Appellant's evidence shows that they are present.

Overarching matters

i) GBLP

- 7.3 The agreed position is that the GBLP is out of date for the purposes of the Framework; it was adopted in January 2003 and ran until 2006. The evidence base dates from 1997. It was partly saved in 2007 but the policies for housing provision were not saved. No new housing policies have been adopted since and it is accepted that GBC has no housing land supply policies.
- 7.4 The Green Belt in the Borough was designated in 1987 but national policy now expects authorities to increase housing provision. The GBLP was produced under the revoked PPG2 in accordance with the then national and regional policy. GBC's witness agreed that limited weight should be given to the GBLP.
- 7.5 GBC alleges breach of just 3 GBLP policies; RE2, G1 and G5. While Policy RE2 does not explicitly mention VSC, GBC agreed in cross examination that it implicitly recognises VSC and that if they are established the scheme would comply with this policy. Policies G1 and G5 relate to the character and appearance of the area and GBC accepts that the scheme would not be so harmful in this regard such as to justify refusing permission on these grounds.
- 7.6 GBLP Policy G1 relates to the landscape and natural features. The construction of the Airfield has resulted in a landscape that has lost many of its pastoral key features and contrasts with the enclosed and well-managed character of the wider landscape character area. The appeal scheme would increase the presence of the key characteristic features by providing 6.2ha of woodland and over 3km of hedgerows. The scheme has been designed in accordance with the requirements of the design code in Policy G5. It is not possible to produce a sustainable settlement and to replicate the site's surroundings.

ii) eLP

- 7.7 GBC has not alleged any breach of draft policies in the eLP. The scheme fully complies with draft policy A35 which allocates the site; the GBC witness, and other witnesses opposed to the scheme, accepted that the scheme is capable of being consistent with it. This draft policy allows for potential performance issues on the Local and Strategic Road networks (LRN & SRN) to be addressed by alternative mitigation measures to the Burnt Common slip roads. The Infrastructure Schedule to the Delivery Plan includes SRN9 and SRN10 which are the Burnt Common slip roads but alternative mitigation measures could be provided. This is not critical as the s106 agreement delivers or funds the slip roads. Compliance with draft policies in the eLP carries significant weight.
- 7.8 The weight to be given to the eLP needs to be considered in the light of the 3 criteria in paragraph 216 of the Framework. First, the eLP is at an advanced stage with the appeal site included as a draft allocation in the Regulation 19 submission. An amendment to delete this allocation was lost at a Full Council meeting; the site is key to the eLP's spatial strategy. When it is submitted for Examination, which will be by the time this appeal is determined, it will be possible to give it significant weight.

- 7.9 Second, there are no longer any objections to the 2016 version of the eLP from statutory consultees. It is necessary to go beyond simply counting the other objections; it is their content that needs to be considered. The Appellant considers that many of the objections can be overcome. This criterion is outweighed by the other two criteria which strongly support more weight being given. The third criteria relates to consistency between draft eLP policies and the Framework. The eLP is fully consistent with the Framework. Significant weight should be given to the eLP.
- 7.10 The eLP's evidence base is up-to-date in contrast to the 20-year old evidence base for the GBLP. Its SAs were prepared by AECOM, independent expert consultants. There is no suggestion that these do not satisfy all applicable regulatory requirements. The 2017 SA is supportive of this site. Without it there would be a need to accept low growth overall or high growth at other locations. The site performs well for growth; avoids the need to place pressure on other more sensitive parts of the Borough; and would support community infrastructure objectives.

iii) GBCS

- 7.11 The GBCS was prepared by independent consultants, Pegasus. GBC accepted that its methodology is appropriate and this is addressed in the first main issue.

iv) Prematurity

- 7.12 There is no basis for refusing permission on grounds of prematurity; this is not part of GBC's case. The *Perrybrook* call-in³ establishes that a proposal should not be regarded as premature within the terms of paragraph 216 of the Framework if it is in keeping with an emerging local plan. Second, a proposal will be "plan-led development" where the purpose of the planning application is to support the local plan process. This scheme is fully in keeping with the eLP.

v) Lovelace NP

- 7.13 The draft Lovelace NP is not yet a public document so carries no weight.

vi) VSC test

- 7.14 Concerning the VSC test, the correct approach is set out in *Wildie*⁴ and is accepted by GBC and other witnesses. Where the other considerations clearly outweigh the harms there are VSC. Ministerial Statements make clear that a housing shortfall on its own is unlikely to amount to VSC but does not say it can never do so and housing need can be part of a wider set of factors that together make up VSC⁵. The Appellant says that while the scheme would be inappropriate development (definitional harm) and there would be impact on openness, there would be only limited other harm. The benefits outweigh the totality of the harm such that the VSC test is satisfied.

vii) Application of the Framework

- 7.15 The tilted balance in paragraph 14 of the Framework is not relevant here and, after the application of the VSC test, adds nothing.

³ Land at Perrybrook (APP/G1630/V/14/2229497): CD10.2

⁴ *Wildie v Wakefield MDC* [2013] EWHC 2769 (Admin) CD11.27

⁵ *Doncaster MBC v SSCLG* [2016] EWHC 2876 (Admin); *R (Smerch Properties Ltd) v Runnymede DC* [2016] JPL 677; & *Perrybrook*

viii) GBC's position on its reasons for refusal

7.16 Only 2 issues remain in dispute with GBC, namely reasons for refusal 1 (Green Belt) and 8 (quantum and scale). GBC does not consider that reason 8, on its own, would justify refusing permission.

ix) SCC

7.17 SCC does not object; on highways matters it has written in support (ID22).

x) RIS

7.18 If (and it is only an "if") the RIS requires any land take from the site this can be accommodated with only very minor alterations to the illustrative masterplan which can be conditioned. This appeal does not seek consent for the RIS.

xi) The Wisley Airfield Community Trust (WACT)

7.19 The scheme includes about 50ha of SANG that is to be maintained as public open space, along with community and leisure facilities that would require sustained management and investment. The bus services are to be provided in perpetuity with resilience funding to ensure sustained viability and affordability. The WACT has been determined to be the most appropriate mechanism through which to ensure long term provision and management of these facilities. The Surrey Wildlife Trust (SWT) and the Land Trust have expressed a strong interest in operating it. Its Outline Business Plan sets out its principal aims and the related activity areas. It will be secured through the s106 Agreement and has full support of GBC and SCC.

xii) ES Compliance

7.20 GBC, following independent review by Nicholas Pearson Associates, the production of the ES Addendum and its independent review, considers that the ES meets the relevant regulatory requirements. WAG/ OPC maintain that the ES is defective as it did not include any assessment of the Appellant's amended highways mitigation measures. That assertion is without foundation for a number of reasons.

7.21 First, most of the highways measures that were assessed in the ES remain as proposed mitigation measures. Second, the Burnt Common slip roads have been part of the eLP evidence base since 2016 and have been identified as mitigation for this site since June 2017. The habitats assessment and air quality review for the eLP concluded that there would be no significant effect on the TBHSPA and that on annual mean NO₂ concentrations it would be negligible.

7.22 Third, the highways mitigation measures have evolved over time in discussions with GBC and SCC; the planning application has not been changed to include them. Fourth, it must be recognised that "the environmental assessment process is not intended to be an obstacle course that a developer has to overcome".⁶ (Carnwath LJ). It is also necessary to have regard to the judgment of Sullivan J⁷, (sections of which are set out at ID125 paragraph 77).

7.23 No request for further information pursuant to Reg 22 of the EIA Regulations has been made by GBC or PINS. Nor has any party requested that GBC or the Inspector

⁶ *Jones v Mansfield DC* [2003] EWCA Civ 1408

⁷ *R (oao) Linda Davies v SSCLG* [2008] EWHC 2223 (Admin) (ID3)

make such a request. If it is concluded that the ES is defective due to inadequate assessment of the amended highways mitigation proposals to include Burnt Common the proper course is for the Inspector or the SoS to request further information.

- 7.24 Much can be said of the concerns of EHPC/ WHPC in relation to sewage treatment. There is no objection from the EA or Thames Water; the Appellant undertook an impact study; the addendum ES did consider this issue; and there is further consideration of this in the Appellant's evidence. No consent for off-site infrastructure is now being sought; the parameter plans show a possible pumping station on the site. No further information is currently needed.

xiii) Design

- 7.25 The scheme has been designed by a multi-award winning architectural practice. The scheme is design-led; the architect acknowledged that the scheme went well beyond the minimum requirement for necessary facilities to make this an exemplary sustainable settlement. That was the brief.

xiv) Support for the scheme

- 7.26 An initial telephone survey of 1,002 Guildford Borough residents (March 2015) showed 46% support against 31% who opposed it. A subsequent telephone survey of 502 Borough residents aged 18 to 40 (June 2016) found support at 45% and opposition at 15%. In March 2017 a repeat of that survey found 57% in support and 10% against. Some 1,434 persons have signed up through the Appellant's website as supporters. Other surveys have shown that 89% of respondents in Guildford aged 18 to 40 wanted to buy their own home. The scheme would provide about 12-14% of the affordable housing planned for the eLP plan period.

xv) Third parties

- 7.27 The main points raised are responded to in the various issues (below). Few third parties acknowledged the need for more housing in Guildford but it is a well-known dynamic of planning Inquiries that those who object tend to have a house while those without a home tend not to turn up. The witness for EHPC/ WHPC accepted that younger people could be under-represented in their survey responses; the Appellant says it is probable.
- 7.28 Some third parties, such as RPC, acknowledged the likelihood of some development on the site because of the extent of GBC's constraints including the fact that 89% of the Borough is Green Belt. The right of appeal is a statutory right; it is not an abuse of the planning system. Concerning late evidence, the only change of any substance made by the Appellant concerns the inclusion of the Burnt Common slip roads. This was in the Appellant's proofs of evidence which were submitted in time. The Technical Note No 1 (ID4) contained a detailed technical transport submission under the Design Manual for Roads and Bridges (DMRB) and was of little relevance to the third party concerns. The identity of the appellant is generally not relevant to a planning decision. The Appellant refutes any alleged wrongdoing.

The effect of the proposals on the openness of the Green Belt and on the purposes of including land in the Green Belt

- 7.29 It is not disputed that the development comprises inappropriate development in the Green Belt. By definition, this is harmful to the Green Belt. This must be given substantial weight, and it has been.

- 7.30 The Appellant also accepts that there will be an impact on openness, but in considering this a number of points need to be considered. GBC recognises a need to release some land from the Green Belt as 89% of the Borough is so designated. The Borough's urban capacity would not allow even the "interim" housing figure of 322 dpa to be met, still less the 654 dpa as set out in the 2017 SHMA Addendum⁸. Green Belt release is inevitable and this will result in a loss of openness; this site is identified as being less sensitive and so its release would protect more sensitive areas and the AONB.
- 7.31 Based on *Turner*⁹, the extent to which the proposed development is visible is relevant. The only Landscape and Visual Impact Assessment (LVIA) before the Inquiry says that the site benefits from strong enclosure around its boundaries and is not widely influential in the wider landscape. These boundaries would be further reinforced. The visual impacts are localised and no widespread significant harm is caused.
- 7.32 About 30ha of the site is PDL and about 16.75ha benefits from planning permission for an IVC with a substantial building. The PDL has a negative visual impact. The appeal scheme includes 65ha of interlinked green infrastructure. The spatial impact that the scheme would have is therefore reduced.
- 7.33 It is the Appellant's case that only one of the 5 purposes of including land in the Green Belt would be offended – safeguarding the countryside from encroachment. That position is supported by one of the objectors' planning witnesses and by the GBCS which says that the land parcel within which the site sits "is not one of the parts of the Borough that best serves the purposes of the Green Belt".
- 7.34 Only one planning witness alleged conflict with the first purpose, checking the unrestricted sprawl of large built-up areas and he related this to stopping the urban sprawl of London. However, national policy does not allow for the entirety of the Green Belt around London to be considered as a whole. The letter from the London Green Belt Council is from a pressure group and its views should carry limited weight.
- 7.35 The same planning witness also stood alone in considering that the second purpose (preventing neighbouring towns from merging into one another) was offended. Having regard to the separation between the site and any towns, it is obvious that this purpose would not be offended by the scheme. The Appellant accepts that the scheme would conflict with the third purpose (safeguarding the countryside from encroachment).
- 7.36 The GBCS explains that if the precise wording of the fourth purpose (preserving the setting and special character of historic towns) is followed, there can be no conflict as there are no historic towns in the area. GBC asserted that the scheme would not harm the Ockham Conservation Area as a designated heritage asset, but would harm the village which extends beyond the Conservation Area boundary. This view is at odds with GBC's own GBCS which identifies that there is the potential to provide a layout that will ensure that this purpose is satisfied.

⁸ West Surrey Strategic Housing Market Assessment: Guildford Addendum Report 2017: CD8.23

⁹ *Turner v SSCLG* [2016] JPL 1092 (CD11.22)

7.37 The only harm to the designated heritage asset identified by the expert concerns additional traffic. The concerns of GBC are at odds with its assertion that Bridge End Farm land should be included in the scheme as this land is closer to the Conservation Area. Harm to this purpose can be avoided, as agreed by GBC's witness. The final purpose (assisting urban regeneration...) is not relevant here as the GBCS recognises that there is not sufficient urban land to meet the Borough's growth requirements. So only one purpose is offended by this scheme and the harm is less here than at other Green Belt locations.

Whether GBC can demonstrate a five-year housing land supply and the implications for this on local and national planning policy

7.38 GBC can only demonstrate a 2.36 year housing land supply; this is a significant shortfall against the requirement. GBC accepts this as it accepts that it has a persistent record of under-delivery such that a 20% buffer should be applied. This matter is considered in greater detail below. The need for housing beyond 5 years is also relevant as the Framework requires local planning authorities to identify developable sites or broad locations for growth for years 6-10 and, where possible, years 11-15. The site is crucial in this regard as GBC is not meeting even its interim target.

The effect of the proposals on the TBHSPA

7.39 This is focused on possible recreational impacts; the air quality impacts on ecological receptors are considered under a later main issue. Detailed consultation with NE has informed development of an appropriately tailored package of impact avoidance and mitigation measures which has allowed NE to conclude that the scheme is unlikely to lead to likely significant effects. The required mitigation can be secured; great weight should be given to NE's views. In the light of NE's position GBC did not pursue this issue at the Inquiry, as set out in the SoCG. The Impact Avoidance and Mitigation Strategy is to be secured by the s106 Agreement, SANG management Plan and WACT Framework. The maintenance of the SANG is a key function of the WACT.

7.40 The agreed package includes a prohibition on any housing within 400m of the SPA; 50ha of SANG; a contribution to the SAMM; and a bespoke "SAMM Plus" which provides for dedicated site-specific heathland management efforts and educational initiatives and PROW improvements. This package goes beyond the standard provision as what would normally be required is 8ha of SANG per 1,000 persons, giving a need for 38.6ha against a provision of 50ha. This is to secure no net increase in visitor pressure on the SPA with the SANG providing an alternative to the SPA for recreational use.

7.41 The only Rule 6 party to pursue this was the RSPB who, in the end, chose not to give evidence at the Inquiry, relying on their January 2017 Statement of Case and the further written statement. The points raised are responded to in the Appellant's evidence; there has not been any response to this. There will be no likely significant effects on the SPA.

The effect of the proposed development on the safe and efficient operation of the strategic and local road networks

Introduction

7.42 Highways issues have been given detailed consideration. GBC has not offered any evidence in support of its third reason for refusal. SCC is entirely content with the

highways mitigation package offered and offers no evidence against the scheme. This is significant as it is the highway authority for all roads around the site apart from the A3 and M25.

The highways mitigation package

- 7.43 The package is largely unchanged from the Transport Assessment Addendum (TAA) save for two matters. The first is the Burnt Common slip roads; the second is the Ripley mitigation. This latter work is now unnecessary due to the Burnt Common slip roads. Leaving aside these slip roads the objectors' most common complaint is that the Appellant has changed its position in its evidence on the appeal in respect of local road closures. This is incorrect as the position was clear in December 2015. The road closures were never actually proposed as they were in a list of measures that could be implemented if seen as beneficial. Following discussion with SCC they were not pursued.
- 7.44 The only highways witness for any Rule 6 party confirmed that he made no criticisms of the proposed mitigation on local roads in terms of design, layout, safety etc. Concerning Effingham Junction he confirmed that it would be an overall improvement against the current situation. He raised no issues with impacts on the SRN or with construction traffic.

Burnt Common slip roads

- 7.45 The scheme would either fund or deliver these. GBC and SCC strongly support this mitigation and their decision not to adduce evidence is based upon their delivery. The SCC letter at ID22 supports the scheme and says that the impact would not be severe on the basis of, amongst other things, the delivery of the slip roads.
- 7.46 The slip roads have been in the eLP evidence base since June 2016 (Policy A43a) and are safeguarded in the June 2017 version with draft Policy A35 amended to include this as a requirement for the Wisley Airfield development. They are dealt with in the evidence base for the 2017 eLP. The slip roads provide two principal benefits, allowing traffic to join/ leave the A3 before reaching Ockham Interchange creating headroom at that location on the strategic road network (SRN) and they reduce, significantly, the traffic through Ripley allowing the growth planned in the eLP.
- 7.47 By allowing the development in the eLP the slip roads provide wider economic benefits beyond those from the appeal site. These benefits are very substantial, running into hundreds of millions of pounds and providing thousands of jobs. These benefits form part of the Appellant's VSC case. WAG/ OPC did not object to the slip roads in representations on the 2016 or 2017 versions of the eLP. Cllr Cross indicated that RPC objected but that seems bizarre as Ripley is the village that would benefit the most from their provision. The chair of Lovelace NP accepts that impacts on the local road network (LRN) could be partly mitigated by their provision¹⁰.
- 7.48 The slip roads are not within the appeal site; consent is not being sought for them in this appeal. The s106 Agreement requires the Appellant to either deliver or fund them. Therefore the Appellant has not changed the scheme. In due course the slip roads would be the subject of a separate process. This could involve HE delegating its powers to SCC. If there are objections an Inquiry must be held under the Highways Act 1980. There is also a requirement for an EIA.

¹⁰ CD13.4 – meeting notes 10 April 2017

7.49 HE require information on environmental issues. The evidence of WAG/ OPC evidence on ecology and air quality is not affected by their provision, a point accepted by their witnesses. No other environmental issues have been raised in relation to their provision and WAG/ OPC don't actually object to them. The land required by them is subject to an option agreement between the owners and GBC. This land is safeguarded under eLP Policy A43a; this makes no express link to the Garlick's Arch allocation at Policy A43. GBC have indicated a willingness to use compulsory purchase powers if necessary. Given their importance in the eLP the SOS can have a good level of assurance that the slip roads will happen.

Issues raised by Rule 6 parties on traffic impacts

- 7.50 Apart from HE, the Rule 6 parties only called one highways witness, on behalf of EHPC/ WHPC. His concerns related to traffic modelling; cycle safety; bus proposals; and the environmental/ safety impacts on Ockham Lane. The bus issue is considered under the relevant main issue, below. WAG/ OPC produced no evidence on transport matters but their advocate was allowed to cross examine the Appellant's witness.
- 7.51 The evidence of EHPC/ WHPC's witness can be given very little weight. He was unaware that GBC/ SCC were not pursuing the relevant reasons for refusal (Nos 3 & 4) despite this being clear in the SoCG, GBC's proofs and the Appellant's proofs. He had not read the Transport chapter in the Addendum ES; large parts of his proof appeared to be based on the TA without it being clear that he had read the TAA; the proof does not mention the "severe" test in paragraph 32 of the Framework. He was wholly unaware of some of the fundamental concepts that underlie the verification of modern traffic models, such as GEH. This is fundamental to the verification of all models, and is described in the TAA appendices and the Appellant's proof.
- 7.52 Paragraph 32 of the Framework makes it clear that development should only be prevented or refused on traffic grounds where the residual cumulative impacts are severe.
- 7.53 Concerning modelling, the TA (December 2014) was largely replaced by the TAA (December 2015) along with a new chapter on transport in the ES which was subject to a scoping process by SCC before submission. The traffic generation and trip distribution was agreed with SCC; the transport witness for EHPC/ WHPC accepted them. The model used was SINTRAM, the same as that used by SCC to support the eLP and its validation was undertaken in accordance with WEBTAG, the usual standard. The modelling was audited by SCC and is now agreed to represent the local network in accordance with WEBTAG. It is fit for purpose. Neither SCC nor HE are seeking further work and HE are using the Appellant's modelling for the RIS, giving it further credibility. SCC indicated that its audit was passed.
- 7.54 In May 2017 a further run was undertaken and no further modelling work has been sought by SCC. In September 2017 SCC wrote to PINS supporting the appeal scheme (ID22) and SCC's final supportive position is now known (ID86). The transport witness for EHPC/ WHPC had not carried out any technical audit.
- 7.55 The Appellant's highway witness responded in great detail to each of the criticisms made by EHPC/ WHPC's transport witness in respect of differences in flows; "pairs" of flows being different; the Effingham Junction crossroads; the accuracy of the model; the zoning undertaken in the Validation report; and the performance of the model.

- 7.56 Concerning cycling safety, GBC and SCC did not pursue any issues on this matter. Indeed, SCC is supportive (ID22) identifying improvements to the cycle network as one of the reasons it no longer alleges any severe impacts. The provision of the route to Byfleet is considered in main issue 5 (below). The agreed trip rates show cycling off-site to be about 3%. Cycling is considered in the ES and was reviewed for GBC and agreed with SCC.
- 7.57 Appendix R shows 52 non-motorised users (NMU) accidents; the level and rate of such accidents is a little higher in this area for cyclists than in the Borough as a whole but overall the situation is not unusually different. The scheme would create a safe and secure environment within the development where cycling and walking to local facilities is designed for safety and convenience. The cycle route to Byfleet/ Brooklands will provide a quiet route to a major employment centre. The Appellant is also providing £2m funding to fulfil the Guildford cycling strategy. The assertion that cycle accident rates would quadruple is not backed up by any data or analysis.
- 7.58 Although EHPC/ WHPC's transport witness expressed concerns about increased traffic on Ockham Lane, in cross examination he indicated that there is no capacity issue; his concerns related to the environmental impact and safety. However, no evidence on this was in his proof and he produced no rebuttal. The Addendum ES deals specifically with fear and intimidation. There is no formal guidance on this but as predicted peak hour flows are just 276 vph (AM) and 241 vph (PM) the flows are not significant. Concerns about this road becoming a by-pass for the new settlement are not borne out by the modelling.
- 7.59 WAG/ OPC produced no transport evidence. The responses to the issues raised in cross-examination of the Appellant's witness and in the objections by this Rule 6 party were all responded to in some detail. Garlick's Arch is not a committed development; it is only a potential site in the eLP and was excluded at the request of SCC. The RHS Wisley scheme was only approved in 2016 and, in any case, most of its likely traffic generation will be outside the peak periods. The primary school and community facilities would be mostly used by residents of the development; staff to the school would result in a limited number of trips in the overall context.
- 7.60 The various errors in the data either did not relate to the relevant scenario (Scenario C3) or were transcription errors relating to air quality, dealt with in the relevant issue. They were all responded to and are either not relevant in transport terms or are of no significance to transport issues.

HE's objection

- 7.61 It is accepted that as matters stand HE has an outstanding objection to the appeal scheme based on potential impacts on the SRN. Strenuous efforts continue in an attempt to agree matters with HE and to secure the removal of this objection. Any updates will be reported directly to the SoS. The Appellant considers that with the proposed mitigation there would be no severe impact on the SRN; HE does not yet agree. If HE does agree the mitigation measures then the severe impact on the SRN falls away.
- 7.62 It is agreed that mitigation is necessary in respect of the SRN and that the Appellant's modelling is fit for purpose. Four elements of mitigation are proposed: improvements to M25 (J10); improvements to the southbound A3 between M25 (J10) and Ockham Interchange; improvements to the Ockham Interchange roundabout; and the Burnt Common slip roads. This mitigation is put forward on the

basis that the RIS scheme is not in place. It is agreed that if the RIS scheme were to happen then there is no need for further mitigation on the SRN.

- 7.63 The first three elements of mitigation, as set out above, are agreed in principle by HE as providing suitable mitigation with only minor points of detail outstanding. HE does not object in principle to the Burnt Common slip roads; HE is neutral as to the eLP proposal for them. The benefits of the slip roads are recognised by HE as they are included in the Route Management Strategy for the M25 – Solent Route. While they may not be in the RIS scheme for 2020-2025 they might be.
- 7.64 Concerning the trigger points for the Burnt Common slip roads, the 1,000 dwelling trigger is supported by the safety analysis (ID4) and the position in Ripley with 1,000 homes would be no worse than the position in Ripley in 2031 without the appeal scheme. The trigger is agreed with GBC and SCC but it is acknowledged that HE currently objects to it.

Whether the proposals would deliver the required transport sustainability measures necessary to enable sustainable travel choices

Introduction

- 7.65 The scheme would deliver the required transport sustainability measures necessary to enable sustainable travel choices. This is endorsed by GBC and, as highway authority, SCC. The relevant reason for refusal (no 4) has not been pursued by GBC, the SoCG recording that the s106 agreement addresses this. GBC's witness advanced no case to say that the development is not sustainable; it was accepted that the proposal could be described as a sustainable new settlement. SCC said in its letter at ID22 that it was not contending that the proposals would not provide sustainable transport solutions. Sustainability has been key to the design of the settlement; neighbourhoods are designed to be walkable. This sustainability is reflected in various cited documents.

On site provision

- 7.66 Local facilities would be provided on site, as set out above. The provision is in excess of that normally provided for a population of 5,000. There would be a new local centre at its heart. While some homes at the eastern end of the site would be outside the 800m walking distance, other sustainable transport options would be available. The whole site is within the 5km cycling distance and there would be a frequent bus service with 200m between stops. The site would accommodate 776 jobs, enough for 27% of the likely economically active population. The homeworking hub would make it attractive for home workers.

Access to train services

- 7.67 The site is within 5 miles of a number of mainline railway stations, being particularly well-related to Horsley and Effingham Junction. It provides access to these two stations with its proposed frequent (every 12 minutes) bus services. No bus service is proposed to Woking station as the journey time makes that route unattractive and neither GBC nor SCC has sought such provision. No issue regarding train capacity has been raised by SCC or the train companies and in any case significant capacity increases are proposed.
- 7.68 Parking surveys at these two stations show spaces to be available in excess of the likely demand as estimated by EHPC/ WHPC's transport witness. It was only when

the witness increased the demand figure, on the basis of peak periods and inclement weather, that he could show an unmet need. In any case, if lack of parking encourages bus use that is a good result in sustainability terms. Concerning the relative cost of parking compared to using the bus the objections raised fail to take account of lower fares for shorter journeys, such as to the station, and the fact that season tickets (like the parking season tickets) would be cheaper. This concern also ignores costs such as fuel and car ownership.

Bus services

- 7.69 The scheme would deliver new bus services in perpetuity that will enable sustainable travel around the site and beyond making it possible to reach services, stations, employment opportunities and other facilities without using the car. The three proposed services would be: Wisley to Guildford (every 30 mins); to Cobham (every 30 mins); and to Horsley/ Effingham Junction (every 12 mins). There would be improved bus facilities at East Horsley and improvements at Effingham Junction. Detailed evidence on viability and funding has been provided; funding would be provided through the WACT. The 5.9% modal share is considered conservative as the travel plan could increase use.
- 7.70 The evidence of the EHPC/ WHPC's transport witness was based upon the TA, not what is now proposed or even what was proposed in the TAA. He agreed that the linear nature of the site is ideal as regards serving it by bus. The service proposed is vastly superior to that now in the area and allows for increased usage in existing towns and villages.

Cycling

- 7.71 There is a network of routes in the area, including the 2012 Olympic Cycle Route. This is supplemented by the PROW network. The scheme will provide a new route to Byfleet/ Brooklands including improvements to the A245 Parvis Road crossing facilities; improvement for cyclists at Ockham Interchange; a £2m contribution to local schemes and Guildford Cycling Strategy. On-site cycle infrastructure is designed as an integral part of the masterplan to encourage use. Covered secure cycle storage will be available at key locations and in the dwellings.

Conclusion

- 7.72 No issue is taken with the Travel Plan. The scheme complies with paragraphs 30, 32, 38 and 52 of the Framework; Policy G12 of the GBLP; The Sustainable Design and Construction DPD; and Policies S1, ID3 and D2 of the eLP. It is designed to achieve a modal shift away from the private car.

Whether the proposals would deliver an appropriate quantity and mix of affordable housing

- 7.73 GBC has not advanced any evidence in respect of its 5th reason for refusal. It is common ground that 40% affordable housing provision is appropriate. GBC has also agreed the mix of tenures.

Whether the loss of a safeguarded waste site is outweighed by other considerations

- 7.74 The site is an extant allocation in the SWP, but the Appellant believes that its loss is very plainly outweighed by other considerations. GBC does not contest the 7th reason for refusal and agrees with the Appellant that very little weight should be

afforded to this policy conflict. While the planning permission for the IVC is extant, as a start was made, the Appellant will not build it. The s106 includes a commitment not to construct or operate the facility. In addition, the SWP is out of date and not in conformity with the Framework. The site is not currently available for such use and SCC does not intend to include it in a new SWP.

The effect of the proposals on the character and the appearance of the area

Introduction

7.75 The quantum and scale of the development are cited by GBC in support of the 8th reason for refusal. GBC's position has evolved and, due to the additional restrictions imposed by the parameter plans, it considers that the scheme would not be so harmful as to justify withholding permission on this ground. The Appellant agrees as the limited harm that would arise would be outweighed by the landscape benefits, the ecological enhancement and improvement in amenity value that it would secure.

Landscape evidence

7.76 The Appellant's landscape architect produced the only LVIA before the Inquiry. Not everybody present was aware that only public views are relevant to the LVIA process. The starting point is that GBC cannot meet its housing needs without building outside the urban areas so some landscape and visual harm will inevitably arise. The character of the site will significantly change, as would any non-urban site in the Borough.

7.77 The site lies within the *Ockham and Clandon Wooded Rolling Claylands* landscape character type in both the GBLCA and the Surrey Landscape Character Assessment. While the site is broadly representative of this type of landscape, it lacks the regular, large and medium geometric field pattern bounded by hedgerows. Long views to the chalk downs to the south are a key feature from farmland to the north and are not unique to the site. The majority of the site has a low landscape value; it is not a valued landscape within the meaning of paragraph 109 of the Framework.

7.78 The SA for the eLP says that the development of the site would avoid the need to put pressure on the most sensitive Green Belt and landscapes designated as being of larger-than-local importance. The airfield construction has resulted in the loss of key landscape features including hedgerows, trees, rural lanes and farms. The large scale open landscape of much of the site contrasts with the nearby enclosed agricultural landscape and the wooded heathland around Ockham Common. The current management of the site is not aimed at landscape or biodiversity enhancement as evidenced by the scrub encroachment to the west. There is strong enclosure to some boundaries but it is gappy to the east and southeast.

7.79 It is recognised that the character and appearance of the site will substantially change. Major magnitude and significant adverse effects would, however, only occur from the PROWs within the site and from some dwellings. There would be negligible impact on the wider landscape. Views to the Downs to the south would be affected, but are not unique to the site. The retention of the PROWs and provision of green corridors would allow some views out and the 65ha of open space, including the SANG and the tump, and would open up new views.

7.80 No obtrusive overlooking or loss of privacy to any properties is predicted. The loss of visual amenity from existing properties would not justify refusing permission. Built development is a characteristic view from Chatley Semaphore Tower and it adds to,

rather than detracts from, such views. The site would occupy a relatively small part of the arc of views. Views from roads and lanes would not be significantly harmed. Most views from PROWs within the site are degraded by the hard surfacing of the runway. There would be no significant harm to views from RHS Wisley, only glimpses of the taller buildings would be seen. Neither SWT, who manage the Tower, nor RHS Wisley object on landscape/ visual impact grounds. There would be no significant impact on views from Effingham.

- 7.81 Long range views of the site are available from a limited number of public viewpoints in the AONB, but the site is difficult to discern in the varied landscape. The photomontages do not take account of landscaping and the scheme would not be built with light coloured facing materials so it would recede more into the landscape. The Surrey Hills AONB Planning Advisor concluded that the scheme would not materially impact on the AONB.

Design evidence

- 7.82 The scheme is design-led and landscape considerations have been a key influence in the masterplanning process. Landscape corridors would be provided between the neighbourhoods and there would be green streets, green links and street trees. Landscape would not merely be peripheral. The WACT will manage the SANG, structural planting and landscaping. The scheme would be developed by phase and the parameter plans allow flexibility.
- 7.83 It is not possible to replicate the scale of the surrounding development. The differences in scale of the buildings are necessary to avoid a monotonous development. Variety would be used to create interest. The 4-storey dwellings on the northern boundary are deliberate to create a defined edge. No density figures are set out in the eLP but demand for housing is high and land is scarce. The density would be 30/32 dpha across the site excluding the SANG; 49 dpha under the old PPG methodology; and 18 dpha across the whole site including the SANG.
- 7.84 The south eastern corner, close to Ockham Lane and Old Lane is to be treated sensitively to connect the new development to the existing community. It is only in this corner that such a connection can be made. The density in this corner would be lower than elsewhere in the scheme.
- 7.85 The inclusion of Bridge End Farm, within the eLP Policy A35 allocation, was made for the first time by GBC in its rebuttal statement. The cited topic paper¹¹ dates from June 2017. It was not suggested that allowing this scheme would prejudice the possibility of this land coming forward; an integrated scheme using this additional land could come forward. There is no requirement in draft Policy A35 that the whole of the allocation be developed comprehensively. Developing the Bridge End Farm site would bring the development closer to the Conservation Area; elsewhere GBC contend that the scheme would offend the 4th Green Belt purpose by impacting on Ockham village.

The effect of the proposals on the setting of Yarne, a Grade II listed building, and other nearby heritage assets

- 7.86 The 9th reason for refusal refers to Yarne; no issues are raised about any other heritage assets. The relevant parameter plan, secured by condition, means that GBC

¹¹ CD8.29 Housing Topic Paper

is now satisfied that the scheme could be accommodated without material harm to the setting or significance of Yarne. It produced no detailed evidence.

7.87 The appellant put forward a heritage witness who considered the relevant heritage assets in the area. He concluded that the scheme would give rise to less than substantial harm to Yarne and Upton Farmhouse (both at the lower end of less than substantial); to Appstree Farmhouse (negligible harm) and Ockham Conservation Area (due to potential traffic increase only).

i) Yarne

7.88 As the Grade II building would not be altered or destroyed, the issue is the effect on its setting. The Glossary to the Framework defines "setting". The Appellant's expert witness considers that Yarne has a single setting. While he was criticised for placing too much reliance on visual evidence, HistE's advice in its Good Practice Advice (GPA)¹² plainly advocates an approach in which visual reasoning plays a key role. He acknowledged that other factors can play a part but considered that, given the exclusively rural surroundings to the relevant assets the only additional sensory impact that can reasonably be considered is sound. His reasoning was entirely consistent with *Steer*¹³ and had not been impermissibly limited to intervisibility.

7.89 As explained by the Appellant's witness, historical associations do not, per se, necessarily constitute setting. They comprise part of setting only if they are part of the surroundings of the heritage asset that can be experienced. In any case, the issue is not whether the setting of Yarne would change; it is whether that change would harm the significance of the listed building. The witness confirmed that the additional restrictions in the parameter plan (Drawing 1715/SK/709) gave effect to his recommendations, although due to difficulties in interpreting exactly what is proposed, a condition is suggested prohibiting any building within 20m of the curtilage of Yarne.

7.90 Yarne's significance relates to the architectural and historic interest inherent in the surviving later medieval and/ or post medieval fabric of the building and the evidence of later change. No heritage values or significance relating to its relatively early origins are readily apparent from its current external appearance. The witness wrote that the modern form of the house and its garden, visible from the appeal site, are "essentially the result of more recent cosmetic changes which do not necessarily reflect the historic character of the building or its surroundings".

7.91 The Appellant considers that its setting is confined to its curtilage. The boundary hedge limits views from Yarne into the site from the building and its setting; the hedge seems to be designed to make the property a visually enclosed entity. Concerning the assertions of the owner of Yarne, Ockham village is not an integrated whole, it is dispersed. Neither Ockham village nor Ockham Park Estate form part of Yarne's setting despite the historical associations, and in any event these relationships would not be affected by the scheme. There is no evidence to support extending the Conservation Area to include Yarne. Due to the distance involved, that claim would be impossible.

¹² Historic Environment Good Practice Advice in Planning, Note 3 (2015): CD13.52

¹³ *Steer v SSCLG* [2017] EWHC 1456 (Admin): ID75

7.92 The evolution of the setting of Yarne was considered; many of the nearby landscape character features were destroyed when the airfield was constructed. The appeal site has been subject to considerable change and makes no positive contribution to the setting of Yarne. Views from Yarne across the appeal site are of no particular historic significance. There would be no harm to its physical fabric which comprises its significance. There would be only less than substantial harm to the setting of Yarne, and that would be at the lower end of the range. GBC considers that there would be no material harm.

ii) Ockham Conservation Area

7.93 The development would be minimally visible from the margins of the Conservation Area which would result in a negligible harm to its significance. There would also be a low level of harm arising from additional traffic. HistE has not objected to the development and the Officers' Report concludes that there would be no harm to its significance. It is not in the reason for refusal.

iii) Chatley Semaphore Tower

7.94 This Grade II* listed building was raised by WAG/ OPC at the Inquiry but is not in the list of buildings that they consider would be harmed by the scheme, as set out in their Statement of Case. HistE are a statutory consultee but has not objected. Similarly, SWT, who manage the Tower, has not objected. GBC considers that the scheme would not impact upon it. There is no evidence that the scheme would cause appreciable harm to the Tower.

iv) RHS Wisley

7.95 This Park and Garden is also Grade II* listed and was also raised by WAG/ OPC. HistE said it did not wish to object and RHS Wisley has not objected on heritage grounds. GBC considers that the scheme would not materially impact upon the Park and Garden. The Appellant considers that there would only be a negligible level of harm. There is no evidence that the scheme would cause any material harm to the heritage asset.

Whether the proposals would give rise to an unacceptable air quality impact on local receptors (human and wildlife)

i) Introduction

7.96 GBC offers no evidence to support its 10th reason for refusal as it is no longer in dispute. It has taken advice from AECOM and now accepts that "it has been demonstrated that the proposed development will have satisfactory air quality impacts"¹⁴. NE raises no objections on air quality/ ecological impact grounds. The issue is only maintained by Rule 6 parties, notably WAG/ OPC and RPC.

ii) AECOM Reviews

7.97 Air quality assessments were undertaken in 2014 and 2015 by WSP who gave evidence at the Inquiry. The ES contained chapters on air quality and was subject to a scoping process by SCC and GBC, as well as NE. The ES was independently reviewed; this resulted in an Addendum ES with new chapters on air quality and ecology and further traffic modelling. The Addendum was also independently

¹⁴ Statement of Common Ground p30: (CD12.3)

reviewed and GBC took specialist advice on the issue from AECOM who, albeit seeking some additional information and clarification, nonetheless concluded that the *“scheme is not likely to lead to a significant air quality effect on the TBHSPA or Ockham and Wisley SSSI during construction or during operation, with regard to nitrogen deposition or NOx concentrations”*.

7.98 The Appellant was given no opportunity to respond to the request for additional information and clarification before the scheme was refused. Following refusal WSP submitted the information (CD13.69) which was reviewed by AECOM. In the light of this review, GBC says, in its Statement of Case, that any impacts can be avoided or mitigated by conditions or through the legal agreement. GBC now regards the air quality issue as resolved. Air quality was also considered in respect of the eLP allocation at Wisley, including the Burnt Common slip roads with the conclusion, again by AECOM, that the impact on annual mean NO₂ concentrations will be negligible and not a key constraint on development.

7.99 A sensitivity test, on the basis of updated traffic data, was included in Transport Technical Note 1 (ID4) which the objectors' expert witness accepted was better modelling and he raised no issue with the modelling or its verification and adjustment.

7.100 The assessments in the ES and ES Addendum did not consider the Burnt Common slip roads as, at that time, these were not part of the mitigation. The objectors' witnesses accepted that their concerns were not dependent on what happens with these slip roads.

iii) Traffic data issues

7.101 WAG/ OPC sought to raise issues concerning the traffic data used in the air quality assessments and these have been responded to in Transport Technical Note 1 (ID4). The errors identified were transcription errors and are not significant on the outcome of the air quality assessment; this explanation was given at the Inquiry and not challenged.

iv) Criticisms of the ES Addendum

7.102 The Appellant argues that the conclusions in the Addendum hold good following a number of sensitivity tests. In response to the criticisms raised by WAG/ OPC, EBC were consulted on the EIA scoping and the planning application. Data shows either a very small increase or a decrease in traffic in Cobham. The 3-month monitoring in 2014 was not used as it was only three months data and was mainly from kerbside sites. AECOM accepted it was appropriate to reject the use of this data for verification purposes.

7.103 No request for further traffic data was ever made by the objector; this is significant as the witness was instructed in January 2016. Neither GBC nor SCC sought further traffic data. The points concerning the model being appropriately verified and adjusted were all fully responded to by the Appellant's witness. The modelling was undertaken in accordance with DEFRA technical guidance. The objector accepted at the Inquiry that the modelling was intended to be conservative as it did not include vehicle emissions improving in line with national forecasts.

7.104 Acid deposition was considered at length in WSP's letter of June 2016 (CD13.69) and in the Appellant's proof. It was accepted that any criticism in this regard had fallen away. Exceedances of 1% are only recorded at two kerbside

locations and at one non-kerbside location which is only 5m from the kerb. Exceedance is only 1.2% at its highest, a marginal figure so likely effects from acid deposition were screened out. It was not even mentioned in the evidence of the objector's ecology witness.

v) The air quality case against the scheme

7.105 Only WAG/ OPC called expert witnesses on this issue. These witnesses disagree with all the other views put forward including GBC; AECOM (GBC's expert advisors); NE; and the Appellant's professional witnesses. The witnesses for WAG/ OPC raised the same issues in March 2016 but failed to persuade these parties that the air quality assessment was in any way flawed. The objector's focus is entirely on operational impacts, not construction impacts, and is exclusively focused on vehicle emissions associated with the appeal site.

vi) Human receptors - Ripley

7.106 The air quality expert for WAG/ OPC agreed that the only relevant location in human health impacts is Ripley. The only issue raised is NO₂; the relevant objective is the 40 µg/m³ as an annual mean. The Appellant's assessments in the ES Addendum conclude no likely adverse effect; that is endorsed by AECOM. Based on GBC's own monitoring there are no breaches of the annual mean NO₂ objective in Ripley. There is no designated AQMA in Ripley. The Appellant challenges the data provided by RPC as there is missing data; it only covers 4 months so needs to be annualised; and no explanation has been made for the bias adjustment. It is the annualisation and bias adjustment, not the monitoring results, that is driving the alleged NO₂ exceedances. The locations of the monitoring tubes are also questioned as all but one are at kerbside, at least 2m from the nearest façade.

7.107 Transport Technical Note 1 (ID4) shows that in 2013 there would be no exceedances in Ripley; the modelling shows substantial falls from the present position. Based on GBC's monitoring data there is no breach now and there will be none in 2031. The scheme may cause the rate of improvement to slow but only if the scheme materially added to traffic in Ripley. The scheme would deliver or fund the Burnt Common slip roads which would reduce the amount of traffic in Ripley. The air quality expert for WAG/ OPC agreed that the reduction in traffic would be a benefit in air quality terms.

7.108 The evidence does not support the view that there are current exceedances of the NO₂ annual mean objective nor that there would be due to the scheme. None of the modelling indicates any risk to human health.

vii) Ecological receptors

7.109 In relation to the TBHSPA issues were raised by WAG/ OPC about NO_x, nitrogen deposition (ND) and acid deposition. Their witness accepted that acid deposition had been comprehensively addressed in WSP's letter of June 2016. The ecology witness accepted that acid deposition formed no part of his evidence. The issue therefore focuses on impacts from NO₂ and ND on the SPA. There is no Special Area of Conservation (SAC) here. SACs are sensitive to air pollution. The SPA is designated for important populations of rare birds which are not sensitive to air pollution (unless levels are exceptionally high).

7.110 The question is whether there is a credible pollution pathway for what is undoubtedly a small magnitude impact arising from the appeal site to effect an

ecologically significant change on bird habitats in the SPA when acting in combination with other contributors.

- 7.111 The principal sources of pollution in the vicinity are the A3 and M25. The issue is whether additional traffic from the appeal site will have harmful ecological effects on the SPA. The view of the ecology expert for WAG/ OPC is that within the SPA the critical level for NO_x and the critical loads for ND are already being exceeded. This is accepted. However, he then says that where critical levels or loads are exceeded harm to the SPA cannot be ruled out. Therefore, any additional traffic from development of even a single vehicle on the A3 will result in adverse effect on the integrity of the SPA such that under EU law planning permission must be refused. This extreme position has no proper basis in either ecology or law and the SoS is invited to robustly reject it.
- 7.112 The views of NE carry great weight. NE has carried out a detailed, thorough and lengthy review of the appeal scheme including air quality issues and concluded that there is not likely to be a significant effect on the SPA from air quality. NE had been engaged in the process in respect of the appeal site for a long period. NE has said that they have no objection, as set out in their statutory response of February 2016. This is supported by AECOM and the Appellant's expert witness.
- 7.113 The position of the ecology expert for WAG/ OPC must be that these parties, including NE, are all grossly wrong. Not just wrong, but NE must have been negligent in the exercise of their duties under the Habitats Regulations. It is relevant that NE does not object to the eLP. That witness relied on *Wealden*¹⁵ to say that NE does not always get it right, but this judgment does not help his case. That case concerned the 1,000 AADT screening methodology set out in DMRB but that methodology has not been used here. It did not involve air quality monitoring or modelling and no use was made of the 1% methodology. There was no assessment of in-combination effects.
- 7.114 *Wealden* does not overrule what is said by other Courts and endorsed by the Supreme Court in *Morge*¹⁶, namely that the views of NE must be given great weight on nature conservation issues. That is especially true here where, unlike *Wealden*, there has been detailed consideration of air quality issues by NE.
- 7.115 The extreme view of the ecology expert for WAG/ OPC must be rejected for a variety of reasons. It is based upon a seriously flawed understanding of critical loads and levels. Where NO_x/ ND is below the critical level/ load one can assume without further consideration or analysis that there will be no harm to ecological receptors. Where the level/ load is exceeded that does not mean that there will be further damage, just that there is potential for damage.
- 7.116 That witness's view is that in such circumstances you have to assume that there will be damage. However, this does not take proper account of other factors including habitat type, existing suitability for SPA birds etc. His view is directly contradicted by the Appellant's evidence and other sources such as AECOM's Habitats Regulations Assessment of the eLP.

¹⁵ *Wealden DC v SSCLG* [2017] EWHC 351 (Admin): CD11.23

¹⁶ *Morge v Hampshire CC* in the Supreme Court C [2011] 1 WLR 268: CD11.5

- 7.117 The view is contradicted by other evidence including despite the fact that there are widespread exceedances of the NOx critical level and ND critical loads in the SPA bird territories are holding or increasing so conservation measures are being met; there are bird populations in areas where the critical level for NOx is being exceeded; and the amount of heathland in the SPA is increasing.
- 7.118 The view ignores the fact that there needs to be a pathway for the impact to effect a significant change on bird habitats in the SPA, either alone or in-combination. The DMRB says, in respect of air quality impacts for road projects, only properties within 200m of roads need to be considered. This was accepted by the witness. In fact, although no NOx impacts can be discernible up to 200m from a road, impacts are thought to be greatest within the first 50-100m and the 200m distance is precautionary as beyond this road traffic contributions have no discernible and no tangible effect. A study by, amongst others the objector's air quality witness, indicates that NO2 contributions drop off steeply from the roadside and are no different to background levels by 100-140m. That witness accepted that the fall off rate for NOx would be similar. While the first 200m from the A3 and M25 need to be considered, the focus is on the first 140m.
- 7.119 The ES Addendum shows that the critical exceedance contour for NOx will be well within 140m from these roads. The 2031 model shows this contour to be largely unaffected. Under Scenario C3 the maximum distance of exceedance of the critical level into the SPA is 65m. The updated modelling in Transport Technical Note 1 (ID4) shows the process contribution from the appeal scheme for NOx falls to less than 1% significantly before 140m. Thus the areas where the scheme makes a 1% or greater contribution to NOx is only very close to the road, all well within 100m.
- 7.120 Any damage to the SPA would be well within 140m of the A3 and M25. The most important habitat for the rare Annex 1 birds is heathland. Dartford Warblers and Nightjars are habitat specialists and only potentially affected by impacts on heathland. Woodlark could be affected by impacts on coniferous woodland as this is used for breeding, but only where it is managed by rotational felling.
- 7.121 Only the Appellant had surveyed the vegetation within 200m of the A3 and M25. In this area there is hardly any heathland; it is mostly dry woodland and scrub. This is not attractive to Annex 1 birds and not sensitive to nitrogen. The coniferous woodland in this area is not managed by rotational felling. Indeed, there are no bird territories within 140m of the roads.
- 7.122 The woodland that lies within 140m of the roads provides a shelterbelt for the remainder of the SPA, and Annex 1 bird populations, from bird strikes, noise, light and pollutants so it is undesirable to remove it. Woodland is an important component of heathland ecosystems; a heathland monoculture would be harmful to the biodiversity of the SSSI. This area is not disregarded; it simply performs a different function. The evidence shows that birds nest across the area including areas exceeding the air quality objectives.
- 7.123 There would not be a likely significant effect (LSE) on the SPA for many reasons. The modelled assessment is in the context of background improvements between 2013 and 2031. The exceedances are likely to be exaggerated by the shelterbelt effect of the perimeter trees. Most of the habitat within the exceedance areas is already not suitable for Annex 1 birds as it is not open ground within heathland or recent coniferous plantation clearings. Most of the habitats within the

exceedance area are covered with plants that are not dependent on low nitrogen levels. The woodland is likely to be retained as a shelterbelt.

7.124 In-combination effects were considered so that criticism is unfounded. The only omissions are the RHS Wisley scheme, which post-dates the ES Addendum, and the RIS scheme for which there has been no announcement about the preferred route or detailed junction design so the in-combination effect could not be assessed.

7.125 The contention that the objector's approach is mandated by EU law has meant that the potential impacts have been considered. They would permit no development that would generate a single vehicle movement on the A3/ M25, or indeed on other roads. The fact that WAG/ OPC do not object to construction traffic seems at odds with this approach. The scheme would not undermine the conservation objectives for the SPA so there is no LSE from the appeal site or in-combination.

viii) SPA Boundary

7.126 The Appellant's position relies upon detailed GIS mapping provided by NE and the Joint Nature Conservation Committee, the bodies charged with updating SPA boundaries with the European Commission. In any case the disputed land lies adjacent to the A3 and is not suitable Annex 1 bird habitat.

7.127 There is no remotely credible reason for dismissing the appeal on air quality grounds.

Whether the proposals make adequate provision for community and other facilities including education, police, health and libraries

7.128 The s106 Agreements make adequate provision for community and other facilities including education, police, health and libraries. The facilities would be beneficial beyond the appeal site.

Whether the other material considerations advanced in support of the development are sufficient to clearly outweigh any harm to the Green Belt, and any other harm, such as to amount to the very special circumstances necessary to justify the development

Harms

7.129 The Green Belt harm is considered in the first issue (above).

7.130 The other harms accepted by the Appellant are some loss of BMV agricultural land; some localised harm to character and appearance; harm to heritage assets, limited to the settings of grade II listed buildings (within the lower range of less than substantial/ negligible harm); and loss of a site for a potential waste facility, designated in the SWP. The test concerning the heritage impacts is whether these are outweighed by public benefit; the Appellant considers the test is satisfied.

7.131 Concerning BMV, this relates to 19.3ha. Its loss is not a reason for refusal. The Officers' Report identified that this loss would be contrary to paragraph 112 of the Framework but that the harm could be minimised by the reuse of suitable soils. A condition to this effect has been suggested. Concerning the loss of agricultural land the undeveloped land has the potential to be returned to agricultural use in a national emergency or change of circumstances. NE was consulted and did not object.

7.132 GBC gave moderate weight to the impact on the character and appearance of the area and to the loss of BMV. It gave little weight to the conflict with the SWP.

Other material considerations

7.133 Fourteen other material considerations are advanced in support of the appeal which, taken together, amount to the VSC necessary to justify the development. These are not all of equal weight; some are less important than others. Even if some are not accepted, VSC could still be established; it is a matter of planning judgment. The Appellant's VSC case is not based exclusively on housing need as some have asserted. There is some overlap in the considerations but that is inevitable and unobjectionable. The *Perrybrook* case (CD10.2) demonstrates that other material considerations can outweigh harms, including Green Belt harms. Applying *Perrybrook*, the scheme is plan-led.

i) Support from the eLP and its evidence base

7.134 Like the *Perrybrook* case, the site has been consistently concluded as being suitable for release from the Green Belt and for allocation for housing for a number of years. It has been selected as a site for a new settlement since 2013 in no less than 4 iterations of the eLP; at each stage it has been the subject of a resolution by full Council. The eLP is on the brink of submission for examination; it will almost certainly have been submitted by the time this appeal is determined. It is critical to the eLP's spatial strategy.

7.135 It has consistently been assessed as the best site for Green Belt release for a new settlement given its relative lack of sensitivity in Green Belt terms and distance from the AONB. GBC considers that it meets the exceptional test for Green Belt release. The factors for this include the intensity of the objectively assessed housing need; the inherent constraints on supply (Green Belt, AONB, SPA); difficulties in achieving sustainable development without impinging on the Green Belt such that Green Belt release is inevitable; the relatively low Green Belt sensitivity of the site; and the extent to which impacts can be ameliorated due to its enclosed nature.

ii) The uniqueness of the appeal site

7.136 It contains the largest area of PDL in the Green Belt in the Borough. It has been in the eLP process as the preferred site for a new settlement since 2013; this has been robustly tested and favoured in studies as part of the eLP evidence base; in successive sustainability assessments it has been assessed against reasonable alternatives and has remained the preferred site for a new settlement; and there are no alternatives which, given the Borough's constraints, is not surprising. Mr and Mrs Paton put forward alternative sites but as these are already in the eLP as draft allocations they are not alternatives. They are needed in addition to the appeal site to meet housing needs.

iii) & iv) Job creation, delivery of economic growth, increased consumer spending and retail provision

7.137 The economic benefits are very considerable. These have not been challenged and are considerably greater than when assessed for the ES Addendum. The benefits include 776 direct jobs; 1410 indirect jobs; a GVA uplift of £57,551,000 pa; rates of £500,000 pa; gross Council tax of £3.5m pa; New Homes Bonus of £21m over 6 years; and a cumulative net income gross of £130m. These benefits are significant; more than were relied upon in *Perrybrook*.

7.138 The Appellant's proof provides the best evidence on this matter. GBC's witness confirmed that it was unchallenged; that the benefits weighed in favour of the grant of planning permission; and that the benefits carried considerable weight. The evidence of the Enterprise M3 Housing Evidence Study (2014) expresses the importance of housing for the local workforce and the ability for it to retain and recruit the right talent. The site is referred to as a large, important housing site. GBC withdrew its reason for refusal on retail grounds; no party pursued this at the Inquiry. New retail would be a benefit.

v) Upgrades to local infrastructure

7.139 The benefits go beyond mere mitigation. The proposed slip roads at Burnt Common would lead to overall reductions in traffic on many local roads, including within Ripley, as well as improved conditions on the SRN. The cycle route to Byfleet is a publically available enhancement; the bus services would provide additional transport options for local communities. The financial contributions towards cycling and road safety benefit all road users and the capacity improvements at the M25 (J10) in the absence of the RIS would extend the life of the junction.

7.140 The benefits of the Burnt Common slip roads, as set out in Transport Technical Note 1 (ID4) are unchallenged. They are seen as a prerequisite to realising the benefits of the eLP as a whole. GBC's closing submissions recognise their importance, describing them as being critical to the delivery of growth within the Borough.

vi) Housing

7.141 *Doncaster*¹⁷ makes it clear that while national policy regards it as unlikely that unmet housing need alone would overcome the hurdle posed by Green Belt policy; it does not say that it cannot do so. It could constitute VSC. A submission that this appeal is bound to fail is thus wholly erroneous. In *Lee Valley*¹⁸, Ousley J said that a shortfall in housing land supply can, as a matter of policy, be a VSC. It can be one of a number of VSCs.

7.142 The housing need in the Borough is critical. Housing is a benefit which carries significant weight; all the planning witnesses agreed on this. GBC has a 2.36 year supply; a significant shortfall. It has not had a five-year housing land supply for many years and is a "20%" authority due to persistent under-delivery. The scheme could deliver 210 dwellings in the first year period, about the same amount as GBC delivers most years in total. Account needs to be had of years 6-10 and 11-15, too, and this carries significant weight.

7.143 GBC has had no housing requirement in its development plan since 2006; the interim target is 322 dpa which is an untested, modest, target. The household projections give a need of 538 dpa while the SHMA is, at 654 dpa, significantly higher. In only one year since 2012/13 has the interim target been met, 2016/17. The scheme provides 18% of the housing allocations in the eLP. The mix is not in dispute. The site would also provide pitches for travellers, providing 13% of the need. The scheme also provides 60 much needed homes for the elderly which adds more weight.

¹⁷ *Doncaster MBC v SoSCLG and AB* [2016] EWHC 2876 (Admin): ID129

¹⁸ *R (Lee Valley Regional Park Authority) v Broxbourne BC* [2015] EWHC 185 (Admin): CD11.17

vii) Affordable housing

7.144 The Appellant and GBC are in agreement on this VSC. Nobody disagrees with the acute need. There are 517 households per year in the Borough that require support for their housing needs and are eligible for affordable housing. Only 485 affordable homes have been built in the Borough since 2009, about 60 per year. At 1 April 2016 there were 2,768 households on the affordable housing register in the Borough (2,203 in the top priority bands). In Surrey the waiting list is 14,333 families. In the County 850 such homes were built in 2015/16.

7.145 It is a key corporate ambition of GBC to increase the supply of affordable housing and the scheme would deliver 800 such homes. GBC recognises that this satisfies the social dimension of sustainability. It constitutes a very material consideration in favour of the scheme.

viii) Education provision

7.146 The all through school, proposed as mitigation, has the potential to serve the wider secondary education needs. The Officers' Report acknowledges that a school of greater capacity could count significantly in favour of the scheme. This will be delivered by the Appellant through a separate s106 Agreement. The 4-form entry school will meet identified future needs in the Borough. It would accord with the application; be compliant with Policy A35 of the eLP; be supported by the eLP evidence base; would increase choice; is important to place-making sustainability objectives; has been of interest to a leading provider; and would result in a benefit beyond mitigation and so count towards VSC.

7.147 SCC is not opposed to the school in principle. Its concern relates to the timing of the provision and whether this might result in over-provision of school places. However, factors beyond provision, such as place making, justify its provision.

ix) Re-use of brownfield land, including the derelict runway

7.148 It is well established that Green Belt land being PDL may constitute, or be part of, VSC (*Smesh Properties Ltd*)¹⁹. PDL comprises about 29.9ha, some 26% of the site. It comprises the largest area of PDL in the Green Belt in the Borough. In the IVC appeal, the SoS held that the concrete standing on the site was PDL and both the Inspector and SoS held that this was part of the VSC justifying the grant of permission. The Framework encourages the re-use of such land in paragraph 17; it is a core principle. Its re-use would accord with emerging national policy concerning changes to the Framework where the benefits of the use of brownfield land for housing would be given substantial weight.

7.149 The evidence base for the eLP relies upon the PDL nature of part of the site as justification for the release of the land from the Green Belt and its allocation for housing. The re-use of materials should carry some weight. The IVC, while not a fall-back, benefits from an implemented planning permission. It would be a large scale building. The re-use of a substantial area of PDL should carry significant weight in the balance and this makes a substantial contribution towards establishing VSC.

x) Creation of new publicly accessible greenspaces

¹⁹ *R (Smesh Properties Ltd) v Runnymede DC* [2016] JPL 677: CD11.20

7.150 The only areas of public access on the site are the PROWs. This was one of the key reasons why the application for an Asset of Community Value (ACV) failed (CD13.2 & CD13.3). The scheme would provide about 9.51ha of playing fields; 6.8ha of children's play space; and 50ha of SANG. The play space and SANG are above standard. This provides additional benefit.

xi) Landscape and biodiversity benefits

7.151 The Appellant's landscape witness's evidence is that the overall landscape benefits outweigh the harm. GBC's witness accepts that the landscape enhancements to the site outweigh the landscape character impacts of the scheme. This is clearly a benefit.

7.152 In ecological terms the Appellant's case is that there would be an on-site net gain. While some third parties disagreed with this, no expert evidence was put forward. The SoCG agrees that the site has the potential to provide ecological improvements over the present baseline situation. This is clearly a benefit.

xii) The sustainability of the proposals (with particular regard to the WACT)

7.153 The scheme is fully compliant with paragraph 7 of the Framework. The three dimensions of sustainability are met, as set out in the issues and VSC factors above. GBC agree that there are benefits within each of these dimensions. The scheme would result in sustainable development as defined in the Framework. The eLP has subjected the site to a number of SAs which provided a key part of the evidence base for the site's allocation in Draft Policy A35.

xiii) Flood risk mitigation at Ockham Interchange

7.154 The delivery of the site access will enable existing flood risk issues at Ockham Interchange to be alleviated providing benefits to all road users and so is a benefit. One third party referred to existing flooding issues in her statement; the scheme deals with this.

xiv) Local policing

7.155 The financial provision for the police also provides some benefit. The site lies within the Send, Wisley, Ockham, The Horsleys, The Clandons and Effingham Neighbourhood Police Area. Following the closure of Ripley Police Station the area is served from Guildford. The Surrey Police made representations and sought a number of measures, all of which are included in the s106 Agreement. These measures include space in the Community Building on the site. This is a wider benefit in terms of additional local police facilities.

Conclusions on this issue

7.156 The material considerations in support of the scheme clearly outweigh the totality of the harm that would arise. The requisite VSC are thus present.

Overall conclusions

7.157 The scheme is plan-led, full square and compliant with Policy A35 of the eLP which is at an advanced stage. The scheme is key to the overall spatial strategy of the eLP and is strongly supported by the eLP evidence base. It is a site that has been identified for release from the Green Belt and for a new sustainable settlement in successive versions of the eLP going back to 2013. It contains the largest amount

of PDL in the Green Belt and there is no viable alternative for a sustainable settlement. Harm, other than definitional Green Belt harm is limited and the totality of the harm is very clearly outweighed by the considerable benefits. There are therefore VSC that justify approving the scheme and the Appellant asks that planning permission be granted.

8. The Case for Guildford Borough Council (ID120)

The effect of the proposals on the openness of the Green Belt and on the purposes of including land in the Green Belt

- 8.1 The Appellant accepts that openness is a key characteristic of the site and one that reflects, in part, its history as an airfield. While this degree of openness may not reflect the prevailing character of the *Ockham and Clandon Wooded Rolling Claylands*, it contributes to a number of the identified key, valued features such as the sparse settlement pattern and the individualism of settlements. The GBLCA records that these features have been threatened by development pressures. The landscape strategy for this landscape character type includes the need to conserve the settlement pattern.
- 8.2 In Ockham, the various elements of the village (Ockham, Bridge End, Martyr's Green, Hatchford End and Elm Corner) each contributes to its character and the appeal site contributes, principally through its openness. This openness can be experienced from Ockham Lane, Old Lane and the PROWs across the site. It is an important, albeit primarily local, contribution.
- 8.3 The effect of the hardstanding, associated with the previous airfield use, only has a very limited effect on openness, as the Inspector in the IVC appeal concluded²⁰. He said that "the land could not be more open..." and the Appellant agreed with this assessment. This only referred to part of the current site but is equally applicable to all the hardstanding on the site.
- 8.4 The appeal scheme, and notwithstanding the fact that about 68ha would remain in open uses, would result in a fundamental and permanent change to the site, including its rurality, openness and how it is perceived by local people. This is clearly contrary to the fundamental aim of the Green Belt which is that land should be kept permanently open, as set out in paragraph 79 of the Framework. The harm to this aim is very substantial.
- 8.5 In terms of Green Belt purposes, the GBCS identifies that the site is within an area that serves two purposes; assisting in safeguarding the countryside from encroachment and preserving the setting and special character of historic towns, albeit that the GBCS treated the fifth purpose as neutral as it was looking at the relative merits of sites in the Borough.
- 8.6 On any assessment, the site lies in open countryside that serves to separate a number of clusters of development and the scheme would encroach into this resulting in very substantial harm to this purpose. While this would be the case for any development of this scale in the Green Belt this does not lessen the conflict; the need for Green Belt release falls on the other side of the VSC balance. The Appellant's case does not appear to recognise that.

²⁰ CD10.4 para 200

- 8.7 Concerning the preservation of the setting and special character of historic towns it is accepted that if the precise wording is followed there are no historic towns in the vicinity. The GBCS approach is less literal and more purposive, using Conservation Areas associated with towns and villages to assess whether this is relevant and applying this purpose to the appeal site. Of itself, this harm would not justify refusing planning permission and GBC's balance is not sensitive to a finding that this purpose is offended but it a Green Belt harm to be weighed in the balance.
- 8.8 The Appellant's attempts to downplay the harm to the Green Belt are not convincing. While the previously developed status of the land may be relevant in the overall balance it does not lessen the impact on the third Green Belt purpose. In terms of visual containment, GBC accepts that openness has a visual and spatial element²¹ but the absence of a visual impact is insufficient on its own to found a conclusion that there is no impact on openness.
- 8.9 The fact that other areas within the Green Belt fulfil a greater number of Green Belt purposes, as identified in the GBCS, does not mean that the site lacks value in Green Belt terms. Nor does GBC's recognition that Green Belt land will need to be released if its development requirements are to be met. These factors weigh in the benefits side of the balance, not the harm side. Otherwise it becomes an exercise in double counting, which is where the Appellant has gone wrong.

Whether GBC can demonstrate a five-year housing land supply and the implications for this on local and national planning policy

- 8.10 GBC accepts that on the basis of the West Surrey SHMA Guildford Addendum Report 2017 (CD8.23), which identifies an annual requirement of 654 dpa for the period 2015-2034, it is unable to demonstrate a five-year housing land supply. The position agreed with the Appellant is that it can demonstrate 2.36 years' supply. The GBLP was adopted in 2003 and the relevant policies for the supply of housing have not been saved so paragraph 47 of the Framework has little bearing in this appeal.
- 8.11 In terms of other GBLP policies, the fact that the plan is out of date does not mean that all the policies can be written off; the Framework requires a more refined approach in which consistency with the Framework is the key consideration. In respect of the policies most relevant to this appeal, GBLP Policies G1 and G5, the Appellant has identified no inconsistency with the Framework. Given that the evidence is that both these policies were used in designing the scheme, it can safely be concluded that significant weight can be given to them. Policy NRM6 of the South East Plan also remains up to date and carries significant weight.
- 8.12 The weight to be accorded to GBLP Policy RE2 is the only policy on which there is any dispute. The development conflicts with it because it is not appropriate development which is the only development sanctioned in the Green Belt under the adopted policies. It was drawn up to accord with PPG2 which required that all inappropriate development applications were treated as departure applications. To that extent it is no longer consistent with the Framework. However, given the combined effect of the Framework, the PPG and the WMS it does not materially advance the Appellant's case as the latter two documents say that unmet housing demand is unlikely to outweigh the harm to the Green Belt such as to constitute VSC. In reality, nothing turns on the weight accorded to this policy.

²¹ *R(Turner) v SSCLG* [2016] EWCA Civ 466 (CD11.22)

8.13 Paragraph 14 of the Framework, the tilted balance, cannot apply despite the development plan being out of date due to the provisions of footnote 9. The balance is therefore set by paragraphs 87 and 88 of the Framework.

The effect of the proposals on the TBHSPA

8.14 The advice from NE to GBC was that it was satisfied that there would be no likely significant effect on the TBHSPA as a result of the proposal subject to appropriate mitigation. Significant weight must be accorded to this advice. The agreed terms of the s106 Agreement secures the necessary mitigation. That advice is consistent with the evidence supporting the eLP, in particular the Habitats Regulations Assessment 2017 update and the Air Quality Review, both produced by AECOM. These assessments are robust as they assume committed and eLP allocations as well as background growth in traffic.

The effect of the proposed development on the safe and efficient operation of the strategic and local road networks

8.15 The evidence makes it clear that both HE and SCC are satisfied that acceptable mitigation can be provided for the SRN and the LRN. To the extent that there is a highways issue it arises from the effects on the A3 of the local mitigation proposals in the form of the Burnt Common slip roads. The principal objective of these slip roads is to mitigate the effects of the traffic from the site, and other growth proposed in the eLP, on Ripley and surrounding rural roads.

8.16 Without this mitigation there is no dispute that the effects of the appeal proposal would be severe and this would be compounded by traffic from other planned sites. The slip roads have therefore always been included in the eLP as essential mitigation for eLP growth. The proposed June 2017 amendments make it a requirement of draft policy that the slip roads and associated traffic management are provided as mitigation.

8.17 While HE has yet to be persuaded that the slip roads can be provided without an unacceptable effect on the SRN the Appellant continues to make efforts to satisfy them (as does GBC in the context of the eLP evidence base). GBC is confident that a solution can be found and will continue to work with HE to ensure that it complies with its licence obligations.

8.18 The SoS should be aware that GBC and SCC regard the Burnt Common slip roads as critical to the delivery of growth within the Borough. Without them there is no realistic prospect of GBC being able to meet its housing needs. No alternative has been advanced by HE or anyone else. The soundness of the eLP is not a matter for this Inquiry; not all the eLP evidence is before the Inquiry and soundness relates to the position on the date of submission, which has not yet been reached.

Whether the proposals would deliver the required transport sustainability measures necessary to enable sustainable travel choices

8.19 The location of the site is such that significant interventions would be required to ensure that the development can be sustainable in transport terms. The package of measures which has been agreed within the latest draft of the s106 Agreement and which includes both infrastructure provision/ enhancements and service provision/ enhancement is acceptable to SCC and addresses GBC's original reason for refusal.

Whether the proposals would deliver an appropriate quantity and mix of affordable housing

- 8.20 GBC has a pressing need for affordable housing. High demand to live in the Borough coupled with high house prices means it is one of the least affordable areas of the country outside London. To meet the identified need for affordable housing would require the development of 1,300 dpa. The eLP requires that 40% of all homes on sites of over 0.17ha should be affordable. Emerging policy also requires that it be of an appropriate mix having regard to the identified need. The s106 Agreement secures the necessary provision and mix.

Whether the loss of a safeguarded waste site is outweighed by other considerations

- 8.21 The site is identified in the SWP and the Aggregates Recycling Joint DPD 2013 as a preferred site for a waste/ recycling facility and has planning permission for an IVC facility. It is safeguarded for these uses by SWP Policy DC1 and policy MC6 of the Surrey Minerals Plan Core Strategy 2011. SCC has advised that as the Appellant has withdrawn support for a waste use, and that as proposals for a new settlement have progressed, the site will not be included in the short-list of proposed sites in the new Waste Local Plan. Therefore no material weight should be accorded to the policy conflict with the SWP. Nor should material weight be given to the IVC permission or SWP safeguarding as establishing a baseline for the effects of the appeal proposals.

The effect of the proposals on the character and the appearance of the area

- 8.22 The site is in a rural area which, save for that small section that adjoins the Ockham Interchange, sits in a local context of a network of small rural lanes and small hamlets. It is adjoined by arable and pasture and small residential pockets. Houses in the area are generally two-storey with traditional design and materials.
- 8.23 It is a challenge to introduce a settlement of just over 2,000 dwellings onto the land available within the appeal site without having an unacceptable effect. This challenge is exacerbated by the relationship of the site to the TBHSPA and the A3, which directs development towards the south/ south east of the site. The topography and vegetation enable satisfactory assimilation of the west and central parts of the site, the openness and absence of robust boundaries to the south/ south east, where the site adjoins Old Lane and Ockham Lane, is more difficult to address.
- 8.24 These are the most sensitive boundaries, the sensitivity increased by the topography with the south east corner being the highest point. The south/ south east boundary warrants a high ranking in the assessment of landscape impacts and neither is a strong boundary. They contribute to the character of the rural lanes which they abut and there are views into the site which are agreed to be significant.
- 8.25 The design approach has not risen to the challenge of these boundaries. The masterplan fails to achieve even a respectful relationship. While the design objective for the site of creating its own context is sound for much of the site it needs tempering in this corner. Nowhere does the Design and Access Statement explain how the site context has informed this part of the design. The need for sensitivity in this corner is not recognised. The scheme brings development closest to the most sensitive boundaries which have the least potential for mitigation.
- 8.26 While the revised parameter plans mean the GBC no longer considers that this weakness of the scheme is sufficient, in itself, to justify withholding planning permission, the conflict with GLP Policies G1 and G5 weigh in the balance against the

scheme. There is no inconsistency in identifying a breach of policy that does not justify a refusal of planning permission. The extent and nature of the breach need to be considered in the context of the whole scheme.

- 8.27 The eLP includes additional land, outside the Appellant's control, with the objective of allowing for greater potential to integrate the new settlement. The Appellant accepts that the additional land could be developed notwithstanding the closer proximity to Ockham and its Conservation Area. With the same number of dwellings it allows for less harm and a better relationship with the new village centre than would be possible with the aggressively linear form dictated by the Appellant's land ownership.

The effect of the proposals on the setting of Yarne, a Grade II listed building, and other nearby heritage assets

- 8.28 GBC is satisfied that the limitations imposed by the revised parameter plans and the suggested conditions would mean that there would be no harm to the setting of Yarne having regard to its heritage values. The reduced scale and density of the development, and the increased separation, leaves scope for planting. The further revisions to the parameter plans, introduced during the Inquiry (ID78) would improve the relationship. This issue is one of detail rather than principle.

Whether the proposals would give rise to an unacceptable air quality impact on local receptors (human and wildlife)

- 8.29 The Appellant's conclusions are consistent with those of GBC's assessment undertaken on its behalf by AECOM to support the eLP. The development is expected to have a negligible effect on human health with no exceedances of the UK's air quality objectives at locations where public exposure is likely. There would be no likely significant effect on sites designated for nature conservation.

- 8.30 GBC does not accept WAG/ OPC's extreme approach to the deposition effects on the TBHSPA as an ecological receptor as being supportable. The UK's obligations cannot sensibly be interpreted as meaning that any development that has the potential to add to traffic flows on the A3, wherever that development may be located in the UK, must be refused because of a potential additional effect on the SPA. Proportionality is a key component of European Law. Where there is evidence that the objective of SPA designation is being met, within the terms of the number of birds within the species of interest in the SPA, and that the effects of new development would not affect habitats of principal relevance to those species, it would not be proportionate to refuse permission.

Whether the proposals make adequate provision for community and other facilities including education, police, health and libraries

- 8.31 GBC has agreed the terms of the s106 Agreement in relation to each of these elements of a sustainable new community. Subject to the Agreement being completed the original reason for refusal is addressed.

Whether the other material considerations advanced in support of the development are sufficient to clearly outweigh any harm to the Green Belt, and any other harm, such as to amount to the very special circumstances necessary to justify the development

- 8.32 The Framework provides that VSC will not exist unless the harm by reason of inappropriateness and any other harm is clearly outweighed by the benefits of the

scheme. Within the context of preparing a local plan, Green Belt boundaries may be altered where exceptional circumstances are shown to exist whereas the development management test is one of VSC. The Courts²² have held that the VSC test is stricter than the exceptional circumstances requirement. The fact that the Courts²³ have held that the exceptional circumstances test is an exacting one only reinforces the high threshold that the VSC test sets.

- 8.33 How high that test is has not been definitively ruled upon by the Courts. They have ruled that it is a qualitative judgment as to weight for the decision maker, that it can be a combination of factors which, though individually commonplace in combination are very special. Sullivan J²⁴ has stressed the need to give the words their ordinary and natural meaning; the circumstances must not be merely special in the sense of unusual or exceptional but very special.
- 8.34 This approach finds resonance in the Framework that substantial weight is given to any harm to the Green Belt in the assessment of planning applications and in advice in the PPG which says that even a matter of such national significance as unmet housing demand is unlikely to outweigh the harm to the Green Belt and any other harm such as to constitute VSC. The balance requires that the protection to the Green Belt which the Framework intends, by harm being given substantial weight and the threshold for VSC, be properly respected. It is heavily weighted towards protection; this point seems to be lost on the Appellant whose balance was a straightforward unweighted balance.
- 8.35 Concerning the harms, and in addition to the harm to the Green Belt set out in the first issue, GBC identifies harm to the character and appearance of the area (Ockham Lane/ Old Lane) addressed under issue 8 and to which moderate weight ought to be given and the loss of BMV (just over 19ha) which also attracts moderate weight.
- 8.36 The Appellant relies on some 14 benefits which, together, are said to clearly outweigh the harms such that VSC have been demonstrated. The list needs to be approached with caution as it includes examples of double counting and some benefits are unsupported by the quantitative analysis which would be required to attribute anything other than limited weight to them.
- 8.37 The development has the potential to deliver a number of significant public benefits which weigh in its favour. The very sizeable contribution to the housing supply; the provision of 8 traveller pitches; and 800 units of affordable housing weigh heavily in its favour. GBC sees the site as essential to meeting its housing needs and has been unable to identify any reasonable alternative strategy for the eLP that does not rely on 2,000 homes being delivered here.
- 8.38 The contribution to the five-year housing land supply is a modest benefit. Even on the Appellant's assumptions, which GBC consider to be optimistic, the proposal might deliver 210 dwellings in the first 5 years. Against an annual requirement of 654 dwellings this is a modest contribution. It is the long term benefit which weighs principally in its favour.

²² *R (Luton BC) v Central Bedfordshire Council* [2015] JPL 1132

²³ *Calverton PC v Nottingham CC* [2015] EWHC 1078 Admin

²⁴ *R (oao) Chelmsford BC v First Secretary of State* [2004] 2 P&R 34 (CD11.32)

- 8.39 The economic benefits are acknowledged, both during construction and after. In this context the PPG guidance concerning unmet housing demand being unlikely to amount to the necessary VSC to justify inappropriate development in the Green Belt guides the comparative weight that can be given to this. Here the scale of the benefits is a reflection of the scale of the development and a product of the large scale impact on the Green Belt. In promulgating the guidance in the PPG the Government will have been well aware of the economic benefits associated with new housing and large new housing in particular. It must have concluded that such benefits do not generally clearly outweigh the harms that such development gives rise to.
- 8.40 The benefits of the community facilities are, in large part, required for mitigation. While they are all capable of serving a wider function such benefit would be local. Apart from the school, the extent of wider benefit is almost impossible to quantify and so such benefits carry modest weight. The improvements to the landscape character come at the cost of harm to the character off-site. The ecological enhancement would be of local value only. The landscape and ecological benefits also carry only modest weight.
- 8.41 In terms of highways and public transport, the proposals have the potential to deliver a range of benefits. The Burnt Common slip roads are regarded by GBC and SCC as essential mitigation for the Borough's future growth over and above that provided for by the appeal scheme. They would also deliver significant economic benefit as without them the Borough's strategy for future growth, as set out in the eLP, cannot be delivered. The importance of these slip roads is such that consideration would be given to compulsory purchase powers. It cannot be concluded that there is no prospect of the slip roads being delivered.
- 8.42 There is the outstanding issue of the acceptability of the slip roads to HE. Until HE is satisfied that they can be safely delivered, in a way consistent with their licence objectives for the A3, the benefits of the slip roads remain contingent ones. Until the issues are resolved they cannot materially contribute to the VSC. However, the SoS should note that the primary balance undertaken by GBC assumes that the outstanding highways issues are resolved.
- 8.43 In terms of the SRN there is the potential benefit of the M25 (J10) improvements which are likely to provide a degree of betterment of performance for the junction which, in the absence of the RIS scheme, would be a significant benefit. However, HE appears committed to the RIS scheme so the benefit may be an accelerated one rather than one that would not otherwise occur. The SoS's announcement on RIS should inform how much weight can be given to the benefits of the appeal scheme.
- 8.44 The proposals have the potential to provide public transport benefits which would benefit surrounding communities; this weighs in favour of the scheme. However, the principal purpose of the bus provision is mitigation of the effects of the development and wider benefit is difficult to quantify but likely to be both local and modest.
- 8.45 The use of PDL is a benefit in that it avoids green field release elsewhere in potentially more sensitive locations in terms of landscape and visual impact. However, the benefit is tempered by the almost complete absence of buildings on the site and the fact that much of the development would be on land not currently hard surfaced. Flood alleviation would be a local benefit but there is no evidence that the problem is significant or that these proposals are the only means of addressing it. It attracts limited weight.

- 8.46 The Appellant accords significant weight to the eLP but that overstates the weight to which a plan at Regulation 19 stage is entitled. There are outstanding objections to the detail and also to the principle and the underlying rationale.
- 8.47 GBC remains confident that it will, through the local plan process, be able to satisfy the Examining Inspector that exceptional circumstances exist justifying a revision to the Green Belt boundary so as to accommodate the development at Wisley Airfield. However, the Framework advises that regard must be had to the nature of the issues raised in representations on policies. Objections to the principle of the Burnt Common slip roads cannot be simply airbrushed out and so at present only limited weight can be given to the eLP.
- 8.48 The Appellant's reliance on the *Perrybrook* appeal decision is misplaced as the circumstances differ and so this decision is not a relevant comparable. Similarly the *Luton*²⁵ and *Smerch*²⁶ decisions are simply not comparable.
- 8.49 Taken overall, the benefits come at the expense of the substantial incursion into the Green Belt with its consequent effect on its essential characteristic of openness, even allowing for the containment of the site by topography and the use of some PDL.

Conclusion

- 8.50 The harm is not clearly outweighed by the benefits when both sides of the balance are properly and fairly weighted. The Appellant's case falls short of demonstrating that, judged qualitatively, VSC exist.

9. The Case for Wisley Action Group/ Ockham Parish Council (ID114)

Introduction

- 9.1 It is common ground between the Appellant, GBC and the Rule 6 parties that the only outcome of this Inquiry can be a recommendation that the appeal be dismissed. It should be dismissed for the following reasons on its merits: it is harmful to the Green Belt and not justified by VSC; potential harm to the SPA due to air pollution; it causes less than substantial harm to 6 designated heritage assets; poor accessibility means it is not a sustainable location; harm to the character of the area; loss of BMV; and severe impact on the A3 in congestion and safety terms and severe impact on LRN.
- 9.2 There is no EIA for the development as now sought; what was assessed was the scheme for which planning permission was sought. The off-site Burnt Common slip roads and the water treatment works are not in the EIA. The extremely late changes to the scheme have severely prejudiced WAG/ OPC. The evidence has not been fully tested and assessed as third parties should have been able to do. However, the objectors' evidence and Inspector's questions have exposed sufficient flaws for the application to be refused.
- 9.3 The scheme involves off-site works, outside the appeal site. While planning permission has not been sought for them, they are necessary to enable the development to be carried out. This is shown by their inclusion in conditions/ obligations. In order to determine the appeal it is necessary to determine whether

²⁵ CD11.15

²⁶ *Smerch Properties Ltd v Runnymede BC* [2016] EWCA Civ 42

the works can be carried out; whether they would sufficiently mitigate the scheme; and what the impacts of these works would be. If that is not done, the scheme might not be able to proceed or its impacts might not be sufficiently mitigated or there might be additional harm caused by the off-site mitigation measures.

- 9.4 There were late changes to the scheme. In particular the Burnt Common slip roads are not mentioned in the ES as they did not form part of the scheme until the Appellant submitted its case. Further traffic modelling and air quality evidence was submitted on the eve of the Inquiry. Improvement works are required to the water treatment works but the extent of these works has not been identified. The ES is silent on this.
- 9.5 The lateness of the Appellant's modelling evidence, together with a lack of underlying data explaining it and numerous uncorrected errors created difficulties for the statutory consultees and the Rule 6 parties. In paragraphs 11 to 22 of their advocate's closing submissions, WAG/ OPC set out many of the difficulties experienced by the parties at the Inquiry arising from the lateness of the evidence; the late changes to the scheme (the off-site works); and the need for corrections to be submitted during the course of the Inquiry when witnesses had already given evidence. This has affected the highways evidence and the air quality evidence, making it very difficult for the parties to follow the case being advanced. HE has made clear its concerns on the highways aspects and the additional information still required, even after the close of the Inquiry.
- 9.6 The proper approach for the Appellant, under the rules and in accordance with PINS' guidance²⁷, is quite straightforward. In cases where the scheme is significantly changed the proper way forward would be for the Appellant to make a fresh planning application. This has been an abuse of the Inquiry process by the Appellant, unfair to Rule 6 parties and the public, and hindering the ability of the Inquiry to resolve the issues. The efforts of the third parties, the steadfastness of HE and the willingness of the Inspector to press for answers has led to the complete collapse of the Appellant's case.

The effect of the proposals on the openness of the Green Belt and on the purposes of including land in the Green Belt

- 9.7 The proposed development, including the housing, shops, employment, schools, community buildings and use of land as playing fields all constitutes inappropriate development in the Green Belt. This involves thousands of buildings and structures, as agreed by the Appellant. The car park serving the SANG would also be inappropriate development. Inappropriate development causes harm to the Green Belt by definition; the harm carries substantial weight in accordance with paragraph 88 of the Framework. The definitional harm would relate to a single house; the harm to 2068 homes and other uses would be even more substantial.
- 9.8 The new buildings would harm openness. The new development would be visible from off-site and from the paths within it. The visibility adds to the harm to openness. The fact that the hard surfaces of the former airfield are previously developed land does not impact on the openness harm. It is a clear, level, elevated site. Any buildings here will harm openness

²⁷ Procedural Guide - Planning appeals – England (PINS) (August 2016) para M.1.1

- 9.9 It is common ground that the site serves the Green Belt purpose of preserving the countryside. The number of purposes served by land is not an indicator for whether it should be released from the Green Belt. A site adjacent to an urban area is likely to serve more purposes than a remote one. However, a sustainable urban extension may be a better solution in Green Belt and sustainability terms than a new settlement. This is recognised in GBC's LP sustainability appraisals which prioritise Green Belt release adjacent to Guildford.

Whether GBC can demonstrate a five-year housing land supply and the implications for this on local and national planning policy

- 9.10 GBC does not have a five-year housing land supply. Housing need is not sufficient in itself to amount to VSC in the Green Belt. As the site is not deliverable, it hinders rather than assists the supply of housing in the Borough. Even if it were to proceed, its contribution to the five-year housing land supply is limited. The conditions mean that development would not need to commence for 6 years following the grant of permission and there is currently no developer on board. The traveller site is poorly located, failing to provide an integrated community and would not be available until late in the process.

The effect of the proposals on the TBHSPA

- 9.11 WAG/ OPC raised this matter in their Statement of Case but have not called evidence. This matter is left to the Inspector's consideration and the RSPB.

The effect of the proposed development on the safe and efficient operation of the strategic and local road networks

- 9.12 It is agreed by all parties that without mitigation the project would have a severe impact on the highway network, including safety and congestion on the A3. The Burnt Common slip roads are required to avoid an unacceptable impact on Ripley. As set out in in the SoCG between the Appellant and HE (ID31) the Appellant has failed to produce the necessary assessments of its proposals for any judgment to be made on their acceptability. The assessments that have been provided were produced too late for HE, or anybody else, to consider them. The Appellant's highway witness agreed in cross examination that the Inspector would have to recommend that the appeal be dismissed. Nothing has changed since that concession.

- 9.13 This issue cannot be deferred by condition or negative condition. The benefits and harms need to be considered to consider the planning merits and meet the EIA requirements. No alternative has been provided; giving money to SCC has been rejected by all parties and abandoned by the Appellant. The planning obligation would allow the project to proceed without the slip roads for a period, leaving a part-built settlement. However, the settlement is only said to be sustainable due to its size. Building half the settlement would not result in a sustainable community and so would be unacceptable. The slip roads are only the final failure of the Appellant's highways proposals.

- 9.14 HE's emerging proposals for M25 (J10) (the RIS) are yet to reach the preferred route announcement stage. They are not being relied upon by the Appellant as mitigation. The Burnt Common slips are being proposed to reduce the impact on the LRN but increase the impacts on the A3 (and hence M25 (J10)) by putting more traffic on it.

- 9.15 The Appellant's traffic modelling continues to be riddled with errors. The best judgment is that it underestimates development and non-development volumes on

the system and on particular stages. The trip generation figures omitted the primary school, nurseries, community, health centre and outdoor sports and recreation. The Appellant's highway witness acknowledged that these uses would generate some traffic and that the secondary school figures were not agreed with SCC.

- 9.16 Other traffic has been severely underestimated. The eLP was taken out of the TEMPRO growth factor. Other schemes since 2013 are also omitted. SCC has expressed caution about the model. In the Transport Technical Note 2 (ID72) incorrect figures were used but the witness was unable to say which figures were wrong. There are large sections, including the M25 beside the SPA, where the figures vary widely between the ES Addendum and May 2017 data with no satisfactory explanation. Some are transcription errors; others relate to converting peak period flows into average daily flows. There are numerous other discrepancies; the Appellant has failed to produce the underlying data to assess the basis of the exceptionally late explanations.
- 9.17 With regard to the effects of the proposals on the LRN, other Rule 6 parties, in particular EHPC/ WHPC and local residents, have produced evidence. The Inspector will have had the chance to see the low capacity of many local lanes and the congestion on the network. The Appellant's case that there would be no severe impact on the LRN was exploded by the highway witness who said that the Burnt Common slip roads were required for the LRN. Since there is no evidence that the slips are deliverable, the impact on the LRN would be severe.

Whether the proposals would deliver the required transport sustainability measures necessary to enable sustainable travel choices

- 9.18 The proposal is the wrong scheme in the wrong location. Evidence on this has been led by other Rule 6 parties. The site is in the least accessible part of the Borough, far from train stations and with poor local roads. Bus routes will be lengthy; no one would routinely walk or cycle to any settlement beyond the site. The Appellant has abandoned the eLP policy aspiration to an off-site cycle network. Cycling to Ripley involves crossing the Ockham Interchange by 4 signalised crossings and cycling around the inside of the roundabout.
- 9.19 The SRN should not be used for local traffic; this scheme produces the worst of all worlds. It is too small to be self-sustaining and so the majority of residents will travel out for work, shopping and most social facilities. The proposed 600-pupil secondary school will attract hundreds of children in each day. The SCC, as education authority, do not want to commit to a 4-form entry school so there is no justification in shipping pupils to a remote Green Belt site.
- 9.20 Little use of the cycle routes for work-related travel is envisaged and the bus service will need subsidy to encourage residents not to use the private car. The need to subsidise the buses in perpetuity shows that the Borough's third-largest settlement would not be sustainable. The Appellant's highway witness acknowledged that the TRICS database figures would need to be adjusted upwards to take account of the location. The 1.5 mile long, linear nature of the site will encourage car use within it.

Whether the proposals would deliver an appropriate quantity and mix of affordable housing

- 9.21 There is no issue on the delivery mechanisms. The housing need, on its own, would not amount to VSC.

Whether the loss of a safeguarded waste site is outweighed by other considerations

- 9.22 This would be a contravention of the development plan but that attracts little weight. Since the IVC planning permission was on its own VSC and it will not be built out, it does not advance the Appellant's case at all.

The effect of the proposals on the character and the appearance of the area

- 9.23 It is accepted by the Appellant's landscape witness that the scheme would have a significant visual impact on the site and its vicinity, including from PROWs. He also accepted some visual harm to views from Chatley Semaphore Tower and RHS Wisley. The amount and height of the proposed development is more akin to the main urban areas and would be out of keeping. It would have an unacceptable urbanising impact on the rural character contrary to GLP Policies G1 and G5 and the Framework.

The effect of the proposals on the setting of Yarne, a Grade II listed building, and other nearby heritage assets

- 9.24 The Appellant accepts that there would be less than substantial harm to 6 designated heritage assets due to the effect on their setting. These are the Chatley Semaphore Tower (Grade II* listed building); RHS Wisley (Grade II* Registered Park and Garden); Yarne, Upton Farmhouse and Appstree Farmhouse (all Grade II listed buildings); and Ockham Conservation Area. Where harm is to the setting of a listed building, considerable weight has to be given to a strong presumption against the grant of planning permission (*East Northants* CD11.12).
- 9.25 This approach is reflected in the Framework's advice on designated heritage assets which includes the setting of a registered park or garden and out of area impacts on the character and appearance of a Conservation Area. The preservation of such assets should be given great weight in accordance with paragraph 132 of the Framework. The balancing exercise in paragraph 134 has to be undertaken with that weight attached to the harm; less than substantial harm is not less than substantial objection to the development.
- 9.26 The scheme must be refused unless there are public benefits arising from it that clearly outweigh the harm it causes. It is necessary to consider whether the public benefits can be achieved without causing the harm. The Appellant has not addressed this and has argued that the benefits of the scheme as a whole justify the harm. The vast majority of the scheme, however, does not cause this harm; it is not part of the Appellant's case that a scheme could not have been designed that did not cause this harm. This is, as the Appellant agreed, relevant to the paragraph 134 balancing exercise. The harm has not been justified and this, on its own, justifies dismissing the appeal. It adds to the harm which goes into the VSC exercise.

Whether the proposals would give rise to an unacceptable air quality impact on local receptors (human and wildlife)

- 9.27 Nitrous oxides emitted by traffic causes harm to the protected bird habitats in the TBHSPA by encouraging excessive plant growth. It is accepted that nitrous oxide levels on the Ockham and Wisley Commons are, and will remain, above the critical level and that the contribution made by the appeal scheme is over the 1% threshold at various parts of the SPA.
- 9.28 Concerning the dispute over the SPA boundary, the boundary is that shown on the DEFRA map. The register is kept by the SoS and the register entry is decisive. If

the SoS amends an entry s/he must notify NE who are responsible for keeping the register available for public inspection.

- 9.29 However the boundary is drawn, and using whichever of the modelling outputs used, regardless of errors in them, a substantial area of the SPA is affected by nitrous oxide levels that are over the critical level. The position is so dire that permission must be refused. The Appellant's case is that part of the SPA is so bad that it does not matter how much more it is polluted.
- 9.30 Where a project is likely to have a significant effect on a European site, alone or in combination with other plans or projects, then an appropriate assessment must be carried out (CHS Regs)²⁸. That is a deliberately low threshold and the exceedances of the critical level and the 1% threshold show that it is met. The Appellant carried out a detailed assessment which was not called an appropriate assessment as it did not include a full in-combination assessment. The site has conservation objectives and supplementary advice which includes as a target the reduction of nitrous oxide to below the critical level.
- 9.31 The appeal scheme contravenes this target by raising NOx levels. On the Appellant's figures this will occur on between 22 and 63ha of the SPA; the higher figure being for the SPA within a 140m band. The SWT are continuing to clear trees and restore habitat, including within the 140m band. This land could provide habitat for the three bird species. The WAG/ OPC witness is an expert in bioacoustics and birds, particularly nightjars and his evidence is that traffic noise only had an effect on birds if it drowned out their calls; the roads caused only very limited disturbance.
- 9.32 The land is part of the SPA, the conservation objectives include its restoration and so the effects cannot be discounted because they occur on land that is presently in an unfavourable condition. A target for that land is breached by this scheme. The prudent conclusion, therefore, is that the proposals affect the integrity of the SPA. It cannot be said, beyond reasonable scientific doubt, that it would not cause such harm. NE's response fails to engage with these issues.
- 9.33 The Appellant says that 0.05% of the TBHSPA is suitable for birds and within the 140m band at Ockham and Wisley. This ignores the fact the other parts of the SPA adjoin major roads, such as the M3. The approach involves increasing the pollution in European designated sites on the justification that they are already in poor condition.
- 9.34 Regulations 68(3) and 62 of the CHS Regs are highly relevant. Regulation 68(3) says that where the assessment provisions apply, outline planning permission must not be granted except in certain circumstances. In this case the Regulation 62 exception (imperative reasons of overriding public importance) does not apply as outline planning applications are excluded and the Appellant does not attempt to argue that "Imperative Reasons of Overriding Public Interest" applies. It follows that planning permission must be refused on habitats grounds.

Whether the proposals make adequate provision for community and other facilities including education, police, health and libraries

- 9.35 The settlement is too small and too remote to sustain a full range of facilities so excess provision is forced into the wrong location, as evidenced by the 4-form entry

²⁸ Conservation of Habitats and Species Regulations 2010 Reg 61(1)

secondary school which SCC doubts is necessary at the site and which may disrupt other schools. 300 children would be expected to travel each day to an out-of-the-way location to justify the development. If the school is elsewhere, then a similar number of pupils would have to travel off the site, which illustrates that they would be happier living in a more sustainable location.

- 9.36 The Appellant's typically late healthcare evidence on GP availability nearby was demolished by the CC&HT representative who pointed out that the Appellant had failed to identify whether the GPs were full time. Any assessment has to be of FTEs. The scheme has no redeeming features. It is not clear who the guiding light was. The architect is talented but unable to answer many questions. He deflected many questions to his planning witness.

Whether the other material considerations advanced in support of the development are sufficient to clearly outweigh any harm to the Green Belt, and any other harm, such as to amount to the very special circumstances necessary to justify the development

- 9.37 The proposal is for inappropriate development in the Green Belt. It is not identified for this form of development in the development plan so is contrary to the development plan. The decisive policy test is contained in the Green Belt policy in paragraphs 88 and 89 of the Framework. It is common ground that the "tilted balance" in paragraph 14 of the Framework is not material in this case. If the VSC and heritage tests are met then the scheme is justified and VSC would be a material consideration justifying departure from the development plan.
- 9.38 Harm includes those individual harms that, on their own, would not be sufficient to justify refusal. The harms in this case are by reason of inappropriateness; loss of openness; one of the Green Belt purposes (preserving the countryside); to the SRN and LRN; to the character and appearance of the area; the unsustainable location; loss of BMV; to the setting of designated heritage assets; and to the SPA. Most of these are addressed above.
- 9.39 The Appellant acknowledged that the admitted severe impact on highways would be part of the other harm. The additional point is that there would be a loss of 45ha of BMV; the Appellant suggested that the "net" loss would be 19.3ha but that excluded land to be used for sports fields and SANGs. In fact all the BMV would be lost.
- 9.40 There are no VSC that clearly (or at all) outweigh this harm. Unmet housing need (including traveller sites) is unlikely to outweigh the harm to the Green Belt and other harm to constitute the VSC justifying inappropriate development in the Green Belt. Almost all the claimed VSC arise from the benefit of housing (and ancillary, and also inappropriate, development). The benefits of housing, including affordable housing, are insufficient.
- 9.41 SCC does not say that the secondary school should be provided on the site as it may be possible to make the necessary provision elsewhere so this offers no benefit; it is a harm. There are 3 remaining points taken by the Appellant: the eLP, the previously developed land status of the hardstanding; and flood alleviation.
- 9.42 The eLP does not help the Appellant. It has not been submitted and it is subject to a considerable number of objections, including the appeal site. *Perrybrook* shows the gulf between a draft plan to which considerable weight can be attached and one which adds little. The eLP is now in worse state than it was at the start of the

Inquiry as the Wisley allocation (Policy A35) and the Burnt Common slip roads (Policy A43a) are not deliverable. We now have an agreed position that it has not been shown that the Wisley development or the slip roads are capable of being carried out. There is no alternative highway mitigation for the Wisley allocation.

- 9.43 It follows that the eLP would be found unsound in respect of these two matters. This would be a major, possibly fatal, blow to the plan. GBC can only submit the plan if it considers it to be sound. GBC cannot rationally, or sensibly, conclude that the plan is sound with the former Wisley Airfield or the Burnt Common slip roads in it. GBC needs to come forward with a new plan that leaves the former Airfield in the Green Belt, consigns the Burnt Common slip roads to history and brings forward sites which can be developed.
- 9.44 The flood alleviation works for Ockham Lane provides no justification, singly or in combination, for the construction of a 2,000 dwelling settlement.

Conclusions

- 9.45 The transport, ecological and heritage impacts are each on their own sufficient to refuse the planning application. The claimed benefits come nowhere near amounting to VSC that can outweigh the harm to the Green Belt. Adding the other harm reinforces the necessity to dismiss the appeal. The Appellant acknowledged that the VSC are contingent on resolving the highways issue; this has not been done.
- 9.46 There is no reason to think that something can be put before the SoS to overturn the evidence at the Inquiry. If there is an attempt to go round the Appellant's acceptance that the scheme should be dismissed it would re-open much of the evidence and 11 of 14 expert witnesses would need to be recalled. There would need to be a new Inquiry; it would not be much shorter than the one that has taken place. The Appellant has had a chance, a more than fair chance, to produce a workable, acceptable, desirable scheme and has failed. That is that.
- 9.47 The SoS is asked to dismiss the appeal.

10. The Case for East Horsley & West Horsley Parish Councils (ID115)

Introduction

- 10.1 The case for the Parish Councils (PCs) has been focused on the traffic impacts, in particular the LRN, (main issue 4) and transport sustainability (main issue 5), and on planning matters, in particular Green Belt issues (main issue 1); the character and appearance of the area (main issue 8); and on whether the Appellant has demonstrated VSC (main issue 12). Regarding main issues 3 (TBHSPA), 9 (heritage) and 11 (social infrastructure) these were considered in the overall context of the sustainability of the proposals.
- 10.2 At the end of the Inquiry there is no acceptable mitigation package, so, on the Appellant's own evidence, the scheme has to be refused. The Appellant was, and remains, unprepared to pursue the appeal. The proper approach would have been to finalise a highway mitigation package acceptable to HE and resubmit the application. In the event the PCs have been required to attend the Inquiry in the hope that the Appellant can find an acceptable solution while the appeal is before the SoS.
- 10.3 There needs to be an adequate assessment of the environmental effects of the scheme yet HE still seeks further information as set out in their SoCG with the

Appellant. The failure to assess the environmental and economic effects of the Burnt Common slip roads is a material failure; without these assessments planning permission cannot be granted. Further there has been no assessment of the proposed upgrade to the Ripley Sewage Treatment Works.

The emerging Local Plan

- 10.4 One of the core principles of planning policy as set out in the Framework is that planning should be genuinely plan led. The eLP is well progressed but there is a high level of unresolved objection, particularly concerning the appeal site. There are also questions about its conformity with the Framework, including the appropriate overall level of housing need, which is the only justification in the eLP for the proposed revisions to the Green Belt boundary. The exceptional circumstances necessary to support Green Belt releases are yet to be proven. Little weight can, therefore, be given to the identification of the appeal site in the eLP. The Appellant said that the eLP was very significant to the appeal proposal.
- 10.5 Concerning paragraph 216 of the Framework, it is agreed that the eLP is at an advanced stage. There is a high level of objection with 1,429 separate comments on emerging Policy A35 so bullet point 2 of that paragraph points to less weight to the eLP. The consistency of the eLP with the Framework, bullet point 3, will be considered at the EiP. Given the inextricable links between the appeal scheme and the eLP's overall strategy, a decision on this appeal will determine decisions about the scale, location or phasing of new development that are central to the eLP. The proposals at Wisley need to be tested through the local plan process.
- 10.6 With regard to the prematurity argument, the Appellant agreed that all the criteria for a refusal on prematurity grounds were met due to the substantial scale of the development being sufficient to determine the location of growth and the plan is at the requisite stage in preparation. The Appellant relied on the *Perrybrook* appeal but that case is materially different as it had a long history of consideration for housing; the relevant local plan had been submitted for examination; and there had been preliminary findings which included that there were exceptional circumstances for the release of the site from the Green Belt and that its allocation was sound. The same does not apply here where the scheme is now undeliverable.

The effect of the proposals on the openness of the Green Belt and on the purposes of including land in the Green Belt

- 10.7 It is agreed that the proposals are inappropriate development in the Green Belt. The Appellant is therefore required to demonstrate VSC. This is not a simple balancing act; the balance is the Appellant's case. The correct analysis is that Green Belt policy presumes against inappropriate development. VSC, the mechanism through which that presumption may be overcome, unless the harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. It is a high hurdle; policy deliberately tilts the balance against permitting development which is why the balance in paragraph 14 of the Framework is dis-applied where Green Belt policy is engaged.
- 10.8 Substantial weight should be given to any Green Belt harm. The Appellant does not do this; the witness concluded that the harm to the Green Belt was moderate to significant. This approach does not apply the Framework properly and undermines the balancing exercise.

- 10.9 The PCs' case is that the development would cause harm by reason of inappropriateness (policy harm). It would also harm the openness of the Green Belt with a dense development of about 60ha but its impact being felt over a much wider area due to the curtailment of views and their replacement with a highly urban vista. The Appellant accepted that the Inspector who determined the IVC appeal had concluded that the existing hardstanding did not compromise the openness of the Green Belt.
- 10.10 Openness is one of the essential characteristics of the Green Belt. It is not accepted that the site is visually well contained. There are views from the AONB some 7.5km away. It is also perforated by existing PROWs. The loss of openness would be experienced by users of the PROWs and the impact on openness would be significant.
- 10.11 The proposals would harm the purposes of the Green Belt, undermining the safeguarding of the countryside from encroachment, adding to the sprawl of large built-up areas, contributing to the merger and coalescence of neighbouring settlements and undermining urban regeneration. Thus, 4 of the 5 purposes are harmed. The Appellant claims that harm to only one purpose (encroachment) reduces the weight to be applied to the harm to the Green Belt. This is a plainly flawed approach.
- 10.12 The evidence of the Appellant is that there is harm to two purposes, accepting that the site contributes to the fifth purpose (urban regeneration), yet the balancing exercise only relates to one purpose. The Appellant's witness was wrong to discount the first and second purposes (sprawl and merging). Preventing sprawl is fundamental to the Green Belt's strategic role. The GBCS states that the purpose of the Green Belt in the Borough will continue as it has since initial designation; the Appellant's suggestion that the boundaries are outdated fails to recognise this. Green Belt boundaries are permanent and only changed through the LP process in exceptional circumstances.
- 10.13 The Appellant's conclusions on the purposes of the Green Belt were based upon the GBCS which is, in turn, based upon a binary approach as to whether a parcel meets a specific Green Belt purpose. No consideration is given to the relative importance of the 5 purposes either Borough-wide or in relation to specific sites. The binary approach means that a minimal difference can result in maximum difference in weighting. It is a fairly crude analysis. The other harms are addressed separately.

The effect of the proposals on the character and the appearance of the area

- 10.14 The PCs also rely on the evidence of GBC, albeit that the PCs' concerns are somewhat wider. The site lies within the Ockham and Clandon Wooded Rolling Clayland which is rural and where development consists of scattered farmsteads, grand houses in parkland and large extended villages. The villages have grown organically over hundreds of years; that growth has been within the landscape and not imposed on it. The area retains a rural feel which is valued by its residents. It is the type of landscape that the GBLCA seeks to preserve.
- 10.15 The proposed development would impose itself onto the landscape, including into the views from the AONB, without regard to the existing settlement pattern or the character of the area. The Appellant's case is that the scheme is of sufficient size to create its own character. Almost by definition a new settlement cannot respect

the rural setting, but that is not an assessment against the baseline character and appearance of the area. The design has been driven to an unusual degree by land ownership and environmental constraints. This approach, albeit that the Appellant had little choice, is not appropriate for the planning of a new settlement in a rural location. Its dense linear form is accentuated by its ridge location.

- 10.16 The high degree of urbanisation has the potential to give rise to other urbanising influences that will diminish the rural character such as traffic on local roads, in villages and in Conservation Areas; an increase in human activity; noise; lighting; disturbance to wildlife; and pressure on local services.
- 10.17 The proposals do not take their design lead from local villages and pay no regard to the recommended measures for the built environment set out in the GBLCA²⁹. The Appellant's reliance on landscape benefits is wholly misplaced as these are mitigating the effect of imposing an urban area into the countryside. Short shrift should be given to the suggestion that there are landscape benefits where the proposal is to turn countryside into town. The proposals are plainly contrary to LP policies G1(12) and G5.

AONB

- 10.18 The site is outside but visible from within the AONB and from well-used PROWs within it. The Appellant said that one of the stated aims was to avoid a continuous block of development when seen in elevated views from the south. These aims would not be realised by this scheme. The site runs west/ east for some 2.4km almost parallel to the northern boundary of the AONB. The ridgeline runs down the spine of the site; a line of 4 storey 5-bed houses would run along the entire northern edge of the site. The highest (5-storey) buildings would be sited on the ridgeline, most exposed to the AONB, and much of the planting along the southern boundary is weak.
- 10.19 There is no group of walkers more sensitive as receptors than those going for a walk on a PROW in an area nationally designated for its beauty. They are plainly highly sensitive. The Fox Way National Trail is a designated route and a very high sensitivity should have been applied to it, but was not. The submitted views show the scheme in mid ground of views PM3 and PM5³⁰ with the development broadside on to the view. The view is rural. The scheme's impact would be better judged to be moderate; not negligible. The smaller scale of the IVC makes that Inspector's comments next to irrelevant in this case.
- 10.20 The impact on views from the AONB is not imperceptible, which is the Appellant's claim in categorising the impact as negligible. Views out from the AONB are a material consideration. The Appellant accepts that there would be major adverse effects on users of the PROWs within the site; one of their attractions is the views to the AONB.

Transport

- 10.21 Transport sustainability is central to the Appellant's claim that what is proposed is a sustainable settlement. Without permanent and viable connections it cannot be sustainable. The Appellant has limited ambitions in this regard. It is an

²⁹ CD13.48 pp81-82

³⁰ CD14.1 Appx11.11

urban area yet the Appellant strives for a development where car use is 60%. The Appellant consistently refers to there being 9 railway stations within 5 miles, but that distance is “as the crow flies” and only 2 stations are seen as being “well related” to the site.

- 10.22 Concerning buses, the provision of a permanent viable suite of bus services is an integral part of the claim that the site can be viable. The Appellant relies on them. The s106 Agreement makes provision for three routes with the Appellant/ developer providing or procuring the services until the Bus Service Takeover Date; at this point the WACT would provide the services. It is assumed that it would be provided in perpetuity.
- 10.23 The WACT would be given a pot of assets sufficient to generate £465,000 pa to cover the maintenance of the SANG and the bus services. It does not appear that this money is ring fenced for either the bus services or the SANG. If the assets under perform, which would take priority, the buses or the SANG? If funding is insufficient there is no mechanism to correct it. None of GBC’s sanctions involve the provision of funds so the SoS needs to have a high degree of confidence that the funding will be sufficient to support the service.
- 10.24 The PCs’ real concern lies in the viability calculations. The Appellant has mentioned connecting other villages, but none of the bus routes do. The Guildford service runs through Ripley, but not the main part of Send, and in any case replicates an existing service. The Cobham service only really serves Cobham. The station loop’s usefulness must be questioned if you live at the eastern end of the site as you would be taken the length of the site, then to Horsley, before reaching Effingham Junction. All this when it would be cheaper to park at the station on a monthly ticket. Why choose the much longer, more expensive and less convenient way to begin your commute?
- 10.25 There are other concerns relating to the likely patronage from Send and Ripley given the existing bus service and the distance of much of Send from the route. The education contribution was over-estimated as there would be spare capacity on site and the developer has used Guildford’s rate for mode share (4.7%), rather than the much lower Lovelace Ward modal share (1%). The employment site is next to the SRN and would have car parking, so the mode share of 7% seems optimistic. If the assumptions used are optimistic, as the PCs assert, the bus service could be reduced.
- 10.26 The bus turnaround facility at East Horsley Station Parade is not supported by the PCs as it is not necessary on the basis of the service as envisaged. Station Parade would be part of a loop so there would be no need for a bus turnaround facility. The facility would reduce parking, potentially obstruct cars and sit across the pedestrian crossing point. The public has not been consulted on this.
- 10.27 The cycling proposals involve a route to Byfleet and a contribution of £2m although there is no requirement for the sum to be spent on any particular facility and indeed it could be spent on footpaths. There is no geographic limit as to where the money is spent so no certainty that the sum would help the sustainability of the site. There are no actual proposals to support the scheme other than the Byfleet route. It is not proposed to link the site to Effingham Junction; there is not the room to provide this on Old Lane.
- 10.28 The Byfleet route is limited to that shown on drawing No 0934-SK-055 Rev A which is limited to a single junction along the route; it is not really a route at all. The

attractiveness of the route is questionable; shoppers won't use it, commuters will prefer Effingham Junction/ Horsley Station and there is no recreational draw at the end of the route. It has an arduous crossing of the A3 and an unpleasant crossing under the M25. The legal status of part of the route is to be the subject of an Inquiry shortly.

- 10.29 The cycle route to Ripley is also flawed as the current provision is below standard and the provision disappears at the bridge where there is a blind bend. The complex crossing of the Ockham Interchange is also a deterrent. No real cycling provision is offered. The model split for cycling in a neighbouring ward is 6%; the Appellant's ambition for this development is 3% which speaks eloquently of the suitability of the location for cyclists.
- 10.30 The planned capacity improvements for the trains will be fully utilised at current growth rates within 12 years without the appeal scheme. There is limited capacity at the stations for car parking so this scheme will plainly inconvenience not only those on the site but others living in the area.
- 10.31 Concerning transport modelling, paragraph 32 of the Framework requires a transport assessment for a project of this nature. That model needs to be reliable or it is a policy failure as there would be no proper basis by which to judge whether the impacts would be severe. While SCC as Highways Authority does not object, the email from SCC to WAG shows that it has not signed off all aspects of the model.
- 10.32 The model used, SINTRAM, was originally conceived for the SRN, not the LRN. The model identifies road speed limits. Old Lane, which has a speed limit of 40-mph, has an 85th %-ile speed of about 50-mph so the model makes the road appear less attractive to users than it is in real life and so must tend to underestimate its use. The Local Validation Report tends to support this view as the GEH measures would not identify if the modelled flows were consistently below actual flows. There are many examples of modelled flows being underestimates when compared to actual flows; these can be by as much as 40%. The model does not take account of some schools and does not expect anybody from the scheme to travel to Effingham Junction station by car.
- 10.33 Severe impacts were identified by the PCs' witness. According to the Appellant, peak traffic flows on Ockham Lane will almost double in the morning peak (134 vph to 276 vph) and almost treble in the afternoon (84 vph to 241 vph). As day traffic is approximately 10 times peak hour traffic this infers a rise from 1090 vpd to 2590 vpd which is a severe impact on a lane which GBC propose should be a "green lane". There would be a severe impact on its validity as part of a cycleway network.
- 10.34 Due to distances there would be few pedestrians off-site. The Appellant predicts a 150% traffic increase on Ockham Lane and 20% on Ockham Road North. To this must be added a similar level of under-estimate together with the missing commuters to the station and the school run. The PCs' witness estimates a four-fold increase in cycle accidents. The severe impact on the LRN provides a further basis for refusal.

Ecology and heritage assets

- 10.35 The PCs have not adduced evidence on these areas but support those who have. The Appellant's heritage witness accepted that there would be less than substantial harm to heritage assets that needs to be weighed in the balance. That

harm appeared to be greater than assessed in the planning balance by the Appellant's planning witness in his written evidence.

Loss of BMV

- 10.36 The appellant refers to a "net" loss of BMV of about 19ha but the notion of a net loss is misplaced. Some 44ha of BMV will no longer be used for agriculture. The BMV that would be lost to the SANG would no longer be available for agriculture and its productivity has no prospect of being revived where the legal agreement aims to ensure that the SANG would be held and managed in perpetuity. This is a clear flaw in the Appellant's balancing exercise.

Very Special Circumstances

- 10.37 The harms, as identified above, are the proposal's inappropriateness (policy harm); loss of openness; and harm to the purposes of the Green Belt. There would be further harm to other important assets including the character of the area; the form and pattern of settlements; internationally important nature conservation areas; nationally important heritage assets; BMV; and important views from Surrey Hills AONB.
- 10.38 The PCs acknowledge that there would be benefits which derive in large part from the delivery of housing and the accompanying mitigation package. The Appellant's approach to the balancing exercise involves no small degree of benefit inflation due to double counting and inflating the weight to be accorded to benefits compared to the ES assessment.
- 10.39 Using the numbering in the Appellant's list of VSCs (1-14), the factors relating to consistency with the evidence base (1) and the judgement that there is no alternative (2) are the same as housing need (6) and (7). Nos (3) and (4) follow from the delivery of housing. The PPG³¹ is clear that unmet housing need is unlikely to outweigh the harm to the Green Belt and other harm to constitute the VSC justifying inappropriate development in the Green Belt.
- 10.40 Nos (5), (8), (10), (11), (13) and (14) are all necessary mitigation to produce a sustainable settlement (12). The Appellant has not considered in the balancing exercise the extent to which these factors are mitigation although it is acknowledged that they are benefits only insofar as they go beyond what is required by way of mitigation.
- 10.41 The PCs submit that there is no proper basis on which the Appellant can divorce itself from the ES. The ES, for example, assessed the proposal on the basis of a 2-form entry primary school and a 4-form entry secondary school. Other factors, such as job creation and economic growth; increased consumer spending and retail provision; education; health and community provision; green spaces and local policing were all assessed as being either minor or negligible benefits in the ES³². It is hard to see how these benefits can materially contribute to VSC. The Appellant has drawn attention to more recent information concerning job creation and the economy but also confirmed that the ES remains relevant and unchanged. The education benefits fall away if the secondary school is not provided on site; SCC currently object to such provision.

³¹ CD9.2 PPG ID 03-034-20141006

³² CD14.1 Chapter 13

10.42 The Appellant therefore relies on unproven housing need while national policy explicitly says that unmet housing need is unlikely to amount to VSC. It is clear, the PCs say, that the benefits claimed by the Appellant do not clearly outweigh the significant harm that would be caused to the Green Belt and to which very substantial weight should be given such that VSC do not exist. The proposals are contrary to national policy and Policy RE2 of the GLP.

10.43 The Appellant's conclusions cannot be relied upon as they are contingent upon the Burnt Common slip roads; the harms are underestimated; the long list of factors pleaded in the context of VSC amount to no more than housing need and the steps necessary to make that sustainable; and the weight applied to the benefits is inflated from that in the ES.

10.44 The PCs request that the appeal be dismissed.

11. The case for Ripley Parish Council (ID116)

Introduction

11.1 RPC upholds its objections on much the same grounds as at the start of the Inquiry; RPC's views have been reinforced by the evidence. The objections cover non-adherence with the Framework; the Pegasus' flawed 2014 GBCS; traffic issues; the incongruous design; effect on air quality; and local ecology side-effects for the SSSI/SPA sites. There is also the effect on much of our local infrastructure and the perfect storm scenario of the site construction coinciding with the M25/ A3 reconstruction and the planned improvements at RHS Wisley. The Lovelace Ward is due to take an unfair and inherently disproportionate number of the sites in the eLP.

Framework issues

11.2 Paragraph 17 of the Framework identifies that one of the core principles is that planning should be genuinely plan-led, empowering local people to shape their surroundings. This development is a dis-empowerment of the local population. Only the Appellant is expressing a positive vision in this process; local people are shattered and disbelieving that such a disaster will befall the Ward. Local residents will be relegated to bystanders as, over a period of a decade, they experience a massive upheaval and a total change to their rural lifestyles.

11.3 There is no attempt by the scheme to fit into the locality or to protect the Green Belt. The tranquillity of Ockham would be lost. The Framework says that we should support the rural economy (paragraph 28) but this would turn it into an urban one by overdevelopment. Concerning sustainable transport modes, only a sticking plaster is proposed for an open wound. This is private car country; nobody walks on the country roads with no lights, pavements or cycle lanes. These aspects cannot be altered. The residual cumulative impacts of the development would be severe in Framework terms (paragraph 32).

11.4 Other Framework paragraphs cited include 55 (the vitality of Ockham); 58 (local character and history); and 66 (evolving designs to take account of the views of the community). The GBCS needs to be re-evaluated as it is not fit for purpose.

Traffic

11.5 The A3 was built in 1975 as the answer to Ripley's traffic problems but today Ripley is the default by-pass for the A3 every time there is an accident on that road. RPC

does not support the north-facing slip roads at Burnt Common as there is an inherent danger in creating a major 4-way roundabout less than 2km south of Ripley. It will attract new traffic from the housing at Gosden Hill (2,100 new homes), Garlicks Arch (400 new homes) and Send (7,000 sq m industrial floorspace). The proposed slip roads would add to the traffic from the A3 and A25 via the A247 to Send.

- 11.6 The traffic modelling cannot be taken seriously when it shows the peak hour number of cars exiting RHS Wisley to be 24. The true figure is at least 10 times that number. The bus routes from the proposed development appear attractive but the schedules are extremely tight for 3 routes and only 5 buses.

Urban design concept/ landscape

- 11.7 The design principles might work well in a semi-urban site. The problem is that this is not semi-urban or urban and it would be incongruous to propose this design in a historic, wholly rural, environment. It ignores the Framework. The density is too great, the buildings too high, the mass of the apartment blocks is too great and the roof-scape too over-powering.
- 11.8 The Appellant has no concept of Ockham, saying that it lies to the south of the development. That is a misconception of the 9 hamlets that comprise Ockham which form a loose-knit group, wholly encompassing the appeal site.

Air quality problems

- 11.9 The appeal proposals are part of the problem, not the solution to the existing problem. The proximity to the A3 and M25, both at near capacity on most days, are the real consideration and any increase in local traffic, let alone the 5,000 vehicles on the appeal site, will add to the toxicity levels in the Ward. After further study, RPC will consider triggering an AQMA on the High Street.

Ecology

- 11.10 Why, unless you had to, would you locate a SANG adjacent to SSSI/ SPA areas, where you will potentially lead visitors into these protected areas instead of away from them? This seems counter-intuitive in the extreme.

Local infrastructure limitations

- 11.11 Various improvements to existing facilities can be achieved and new infrastructure facilities can be constructed to alleviate some problems brought about by the development. However, much is left to future detailed plans as to what can be realistically achieved within finite budgets. The local roads and traffic are intractable problems. We have heard nothing about the other services apart from the suggested planning conditions.

Contiguous competing major developments

- 11.12 There is an emerging perfect storm scenario for the areas either side of the A3 up to Cobham from the Ockham Interchange, including the whole area encircling the A3/ M25 (J10). This is not of the Appellant's making. The A3/ M25 (J10) work will probably start around 2019, soon after RHS Wisley undertake a major expansion of facilities as part of their refurbishment.
- 11.13 If a new road from Ockham Interchange to Wisley Lane, through the appeal site, is added there is a recipe for years of gridlock on local roads. This would be

similar to the current position off the A3 at Guildford where there is a single entry/exit system from the A3 serving the University campus and sports centre, the Royal Surrey Hospital, the Surrey Research Park, a hotel, a hypermarket, various schools and housing. Too much development with insufficient infrastructure.

Proportionality

- 11.14 A recent Government consultation paper looking at local plans and NPs proposed that where a local plan was not in place, the housing number for the NP would be based on the current population for the area. There are currently about 1,000 houses and 2,200 residents in Lovelace Ward. A 1% increase over 15 years would give 1,150 dwellings and 2,530 residents by 2032; a 2% increase gives figures of 1,300 and 2,860 respectively. GBC's figures for Lovelace Ward total 2,500 additional houses with about 6,000 new residents, a 270% housing and population increase. This Ward, which has 1.6% of the population, is to take over 25% of the planned new homes in the eLP. This is disproportionate and is the result of seeking easy quick fixes to difficult or intractable housing problems. The first stage in finding a new course is to dismiss this appeal.

12. The Case for Cobham Conservation & Heritage Trust (ID117)

The effect of the proposals on the openness of the Green Belt and on the purposes of including land in the Green Belt

- 12.1 The Trust supports the submissions of WAG/ OPC and EHPC/ WHPC. The Trust identified how consultants employed by EBC had pointed to land adjacent to the appeal site, within EBC, which acted as an important barrier to urban sprawl in accordance with the purpose set out in the first bullet point of paragraph 80 of the Framework and a role in preventing the coalescence of settlements (bullet point 2). The land also prevents the encroachment of development into the countryside (bullet point 3). Nor should the final purpose be overlooked, as it states that one purpose of the Green Belt is to assist in urban regeneration (bullet point 5) by encouraging the recycling of derelict and other urban land.

Whether the Council can demonstrate a five-year housing land supply and the implications for this on local and national planning policy

- 12.2 The Trust supports the submission of WAG/ OPC and EHPC/ WHPC. The Trust is based outside GBC. Housing need needs to be examined and tested.

The effect of the proposals on the Thames Basin Heaths Special Protection Area

- 12.3 The Trust supports the submission of WAG/ OPC and EHPC/ WHPC.

The effect of the proposed development on the safe and efficient operation of the strategic and local road networks

- 12.4 The delivery of the north facing slips at Burnt Common raises concerns from residents, not least those in the Clandons, and the Trust maintains that the Appellant has not been able to evidence that their proposals are sustainable and deliverable. The Appellant has been treating with HE on the layout of the A3/ Old Lane junction. Blocking southbound Old Lane traffic would be inconvenient, especially to those using the car parks at Chatley Heath, resulting in longer journeys and it raises concerns about an increase in traffic through Cobham – the traffic that could no longer use Old Lane southbound.

12.5 The narrow nature of local lanes has been identified. The Appellant has changed the scheme to avoid some road closures but there are still concerns about the distribution and increase in traffic from the development. The direct route to Cobham is via Ockham Lane east of Old Lane and then via Plough Lane to Downside Road. From the Black Swan PH, through Hatchford, Ockham Lane is narrow and bendy. Then Plough Lane is very narrow, indeed single carriageway with few passing places. The Appellant has asserted that this road would need to cope with an additional 13 vehicles per hour in the morning and 49 vehicles per hour in the late afternoon peak. In the past 6 years there have been 3 personal injury accidents involving pedestrians or cyclists.

Whether the proposals would deliver the required transport sustainability measures necessary to enable sustainable travel choices

12.6 The Appellant has advanced the intention of running a bus service between the site and Cobham. Using Old Lane and Horsley Road through the junction near Effingham Junction, it seems that to meet timetable requirements it would need to drop passengers 200m from Effingham Junction Station.

12.7 It seems that the Appellant is relying on GPs outside the development site, including the Cobham Health Centre, to provide medical facilities, albeit perhaps only in the short term. The availability of medical services in Cobham has not been properly researched, the telephone survey of GP numbers failing to take account of whether some are part time. The surgery is some half mile from the centre of Cobham and has only limited parking. The private schools in Cobham are also well outside the centre. The proposed bus service, with its quick turn-around, would not have time to service these facilities.

12.8 Concerning cycling, the Appellant has agreed to refurbish a cycleway from the site to Byfleet, although there is little evidence of research to show any need for this route. A further sum, £2m, is to be provided as a cycle and public rights of way contribution. SCC has commented that opportunities for providing meaningful off-site cycle improvements would require substantial financial investment and the significant purchase of private land in multiple ownerships. Therefore the development is unable to prioritise or maximise the potential for travel by cycle.

The effect of the proposals on the character and the appearance of the area

12.9 The hamlets around the site; the openness of the site and surrounding countryside; and the narrow lanes would be substantially spoilt, if not lost, by the proposed development. Even with the runway there can be no suggestion that the site is of low landscape value. It is an outline application and the Trust cannot see the logic in not considering an assessment of the development on the landscape at this stage as enough is known about the proposals to assess how it would adversely affect the landscape and this should be considered now.

The effect of the proposals on the setting of Yarne, a Grade II listed building, and other nearby heritage assets

12.10 Other parties have described the effect of the proposals on the local setting of Yarne, other old buildings on the Ockham area and their setting and on the nearby Conservation Area. A large increase in traffic is also relevant to considering this harm.

- 12.11 Chatley Heath Semaphore Tower, within EBC, allows the public to see fine views over the appeal site. It is owned by SCC and managed by SWT. It is open to the public more frequently than the Appellant asserts; with funding for a ranger the public access could be extended. Views from this heritage asset would be marred by the proposals; the linear nature of the scheme would worsen its intrusion into the view.

Whether the proposals would give rise to an unacceptable air quality impact on local receptors (human and wildlife)

- 12.12 The air quality impacts are very relevant in adding to other harm. Cobham suffers from many traffic hold-ups and has an AQMA. The witness for the Appellant said that an air quality assessment would be required for the Cobham areas which forecast an increase of only 100 additional vehicles per day. The forecast was unreliable and later revised.

Whether the proposals make adequate provision for community and other facilities including education, police, health and libraries

- 12.13 The Trust is concerned that if permission is granted, on the Appellant's own evidence there may be difficulty in providing the health facility or there might be a significant delay in providing it.

Whether the other material considerations advanced in support of the development are sufficient to clearly outweigh any harm to the Green Belt, and any other harm, such as to amount to the very special circumstances necessary to justify the development

- 12.14 The Trust submits that the material considerations advanced by the appellant are of limited value and are clearly insufficient to outweigh the harm. There are some benefits but they arise mainly from what is provided on site, if housing is included, while the Appellant fails to recognise the extent of the potential impact on the area and the road network in particular.

- 12.15 The proposals are clearly premature in advance of the eLP and there is still a lack of agreement on highways matters with HE and, in respect of education, with SCC. The announcement concerning M25 (J10), anticipated during the Inquiry, has failed to materialise. The proposals would adversely affect the local communities on the EBC side of Old Lane, with the hamlet of Hatchford being particularly close to the site. EBC opposed the scheme on Green Belt and infrastructure grounds. SCC has identified a failure to advance any meaningful off-site cycle improvements and see little prospect of securing those. The problems concerning the impact on the SRN ought to result in the dismissal of this appeal. The eLP needs to be examined before the future of this site is considered further.

Conclusion

- 12.16 The proposals would cause serious adverse impacts on highway safety and efficiency; increase the carbon footprint; and result in significant air pollution. When the cumulative impacts are considered the impact would be severe. The other harm that would arise is so extensive as to have the limited amount of benefit falling far short of the test of outweighing it to show VSC. The SoS is asked to dismiss the appeal.

13. The Case for Mr GB and Mrs A Paton (ID118)

The effect of the proposals on the openness of the Green Belt and on the purposes of including land in the Green Belt

- 13.1 The appeal scheme would have a damaging effect on the openness of the Green Belt as the site is at the heart of the Green Belt that was established to serve London and to separate the surrounding towns and villages. It commands a strategic position; removing it from the Green Belt would undo the work of public authorities since 1936 to protect environmentally sensitive public land. The conservation of Ockham as a rural and agricultural parish that has remained substantially unchanged since the 1816 OS Map can be attributed to the constraints imposed by the Green Belt. The removal of these constraints would cause permanent harm.

Whether the Council can demonstrate a five-year housing land supply and the implications for this on local and national planning policy

- 13.2 Regardless of whether GBC can demonstrate a five-year housing land supply, there are many other more sustainable sites in the borough that should be developed first.

The effect of the proposals on the TBHSPA

- 13.3 All concerned agree that the proposals would cause harm to the SPA; the question is whether the scheme can be mitigated to do no harm. In this regard GBC seeks comfort from NE who raised no objections subject to conditions. In April 2017 GBC obtained a new HRA from AECOM, who relied on the opinions of GBC and NE. The reasoning process, therefore, has been circular. GBC and AECOM have not independently addressed the concerns of SWT.

- 13.4 The appeal scheme introduces a densely packed new town on the southern approaches to the SPA, street lighting and the likelihood of significant numbers of cats and dogs. The proposed avoidance and mitigation scheme has many implausible elements such as the replacement of 50ha of countryside with 2,068 dwellings not having a net ecological effect and that 1.5 wardens would be sufficient. The SAMM measures do not provide assurance that no harm will be done and the scheme conflicts with the aims of the Surrey Nature Partnerships Biodiversity Opportunity Area. The improvements to the M25 (J10) threaten the SPA; the appeal scheme will compound the risks.

The effect of the proposed development on the safe and efficient operation of the strategic and local road networks

- 13.5 The Appellant's traffic model is not fit for purpose as it does not include the effects of the Improvement Scheme for M25 (J10); traffic flows from other sites in the eLP; traffic flows from Heathrow Terminal 5; and traffic flows from a new settlement at Dunsfold Aerodrome. The model should start from an accurate description of the present position; accurately predict the number of new road users; accurately predict trips and destinations; and accurately model the traffic network and its bottlenecks.
- 13.6 The model is not available for public scrutiny so the sensitivity or resilience of the model to changes in the assumptions cannot be tested. The public is therefore reliant on the diligence of Surrey Highways and HE; neither organisation is directly accountable to the public.

Whether the proposals would deliver the required transport sustainability measures necessary to enable sustainable travel choices

- 13.7 The Town and Country Planning Association's guidance emphasises the critical importance of a site's proximity to public transit systems and to centres of employment. This site is not near employment centres, railway stations or existing facilities. It is not a suitable commuter location, needing multiple mode changes for commuters, and there are few valuable destinations (including the Village Centre) within 5 minutes' walk of most of the new dwellings. It would be car dependent. The danger is that the degree of car trips has been materially underestimated.
- 13.8 To give the site a semblance of sustainability it needs the subsidised bus service and its usage is dependent upon the number of rail commuters. If the number of rail commuters is smaller than predicted and the number of car users greater, then there would be serious bottlenecks at the Ockham Interchange. The site is constrained by having only two entry points and there would be 4,000 parking spaces. Peak time traffic, together with traffic signals on the roundabout to prevent queuing on the A3, could result in traffic flows overwhelming its capacity. With the estimated 1.5m visitors to the redeveloped RHS Wisley it is hard to see how gridlock on the SRN and LRN can be avoided.

Whether the proposals would deliver an appropriate quantity and mix of affordable housing

- 13.9 40% of the houses will be affordable, but we question whether they will be attractive to people on relatively low incomes. Living on the site will incur additional travel costs and the service charge levied through the WACT, including the bus subsidy.

Whether the loss of a safeguarded waste site is outweighed by other considerations

- 13.10 We consider that the planning application for the IVC was only ever submitted in order to establish an access to the A3. It would, nonetheless, be a more sustainable use of the land than the appeal scheme. Most of the site is also safeguarded as a source of gravel and this resource would be lost.

The effect of the proposals on the character and the appearance of the area

- 13.11 The scheme would permanently change a rural agricultural ward whose primary features have not changed in the last 250 years. 45.4ha of BMV agricultural land would be lost. The open elevated site, dominating the parish, would be replaced by a new town with 27 no. 4/5 storey buildings. And the SNCI would be lost.
- 13.12 Three Farm Meadows forms part of the setting of Ockham, a dispersed settlement with 9 rural hamlets around the appeal site. These hamlets are connected by physical and historic bonds as shown by the footpaths that cross the land. The two bridleways and the other footpaths were reopened after the land was sold by the Government. There are historical functional relationships between the hamlets and the site. They were all under the common ownership of the Ockham Park Estate for three centuries and it has been farmed since medieval times.

The effect of the proposals on the setting of Yarne, a Grade II listed building, and other nearby heritage assets

- 13.13 The Council has not carried out Conservation Area appraisals for Ockham or Ockham Mill Conservation Areas. Yarne is a farmhouse of medieval origin that has

been continuously lived in for 550 years. It has direct functional and historic relationships with Ockham. Parts of its original timber frame date from around 1470; the front was remodelled in around 1908. The house has historic interest as one of the possible places where William of Occam might have lived and for its long association with the Ockham Park Estate.

- 13.14 Its setting has remained substantially unchanged since the 1816 OS Map with just one new house in its vicinity, Ockham End, built in the 1930s. The setting is rural with agricultural land on all sides. It stands at the highest point in the local area and there are long views over the appeal site to Woking (8km) and beyond. Its setting is its garden, the neighbouring agricultural land and Ockham. This setting contributes to its aesthetic and historic interest as a farmhouse in Ockham Park Estate. Its agricultural setting affects the ability of future generations to appreciate its significance.
- 13.15 The harm caused by the appeal scheme is primarily to its setting. There can be no greater loss of setting to a farmhouse than the loss of its adjacent farmland. The temporary use as an airfield did not change how the appeal site is experienced from Yarne and its garden. The hangars were 1.7km away and on lower ground. The aviation activities have not altered the way the setting, landscape and views are experienced at Yarne.
- 13.16 The appeal scheme, even with the last minute adjustments to the parameter plans, would bring a dense urban development around two sides of Yarne. The dwellings would be up to 8/9m high, some 50% higher than the ridgeline of Yarne. Adjacent to Yarne, separated by a 9m verge, would be a street with lighting. Ten houses would face the west boundary; 4 its north boundary at a distance of 20m which would allow significant overlooking of the house and garden.
- 13.17 Within 200m there would be 4-storey blocks. This would create an urban environment, divorcing Yarne from its agricultural heritage and from the rest of Ockham. This would change the way in which Yarne is experienced. It would permanently change the views from the house and garden. The potential changes to the rest of Ockham may also be dramatic, with Ockham Lane experiencing a 3- to 4-fold increase in traffic. Yarne would have an urban setting on the periphery of the third largest settlement in the Borough.
- 13.18 The Appellant's description of the appeal site is highly selective, putting weight on the 27 years of the last 550 years in which a small part of the site was used as a runway (9%) and another part was a hanger area (15%). It ignores the 61% of the site in agricultural use and the non-agricultural countryside, grassland and trees (15%). It is not true or fair to describe the site as effectively representing a brownfield site. The Appellant wrongly describes Ockham as a nucleated village based around the former Hautboy Hotel; this denies Ockham its historic shape, character and history.
- 13.19 We do not accept the Appellant's description of Yarne and its significance which focuses on its 1470 timber frame and not its functional relationship with the land and its historic relationship with its owners. The assertion that the creation of the airfield radically altered the landscape of the appeal site as experienced from Yarne is false as most of the field hedges were lost to consolidation long before WWII. The views over the appeal site from Yarne have been broadly unchanged for 250 years save for the removal of some hedges which were, in any case, not the dominant feature which remains the topography.

- 13.20 The Framework's interpretation of "setting" allows for more than just the experience of our 5 senses. It includes our ability to remember, re-experience memories through visual, auditory and olfactory clues. This piece of England has survived in recognisable form for 500 years uncompromised. It would be permanently compromised by the loss of its setting to a dense modern housing estate on two sides and suburban traffic on a third side.
- 13.21 There was no attempt during the conception of the masterplan to consult OPC or us or to conserve or enhance Yarne's setting. The first detailed Heritage Appraisal was in May 2016; the application had been refused in April. Only after that has the Appellant taken any steps to mitigate the impact of the new town on the setting of Yarne. These changes are too little and too late. The Appellant has consistently exaggerated the distance of the site from Yarne and the efficacy of the new planting. Planting cannot mitigate the permanent effects of the new town. The Appellant has tried to characterise the entire site as being previously developed and blighted by the airfield. Due to the above considerations, we maintain that the adverse effect on the setting of Yarne is substantial.
- Whether the proposals would give rise to an unacceptable air quality impact on local receptors (human and wildlife)*
- 13.22 Our home, Yarne, is located to the north east of the site and the prevailing winds blow the noise, dust and pollution from the A3 across that property. The 15 year construction period would subject us to unacceptable levels of air, light and noise pollution.
- Whether the proposals make adequate provision for community and other facilities including education, police, health and libraries*
- 13.23 The site is in the wrong location and is too small to support a sustainable new settlement. The designs are suitable for an urban extension and are completely inappropriate for a new settlement in the countryside. There is no assurance that the education, health and library facilities will be delivered by the relevant public bodies who may choose to take the s106 contributions and use them elsewhere.
- Whether the other material considerations advanced in support of the development are sufficient to clearly outweigh any harm to the Green Belt, and any other harm, such as to amount to the very special circumstances necessary to justify the development*
- 13.24 The Appellants' consultants have uncritically adopted each other's opinions and the core assumptions about the site, the character of the area, Ockham and the GBLP have been adopted without critical challenge. GBC has brazenly acted as the promoter of its politically motivated eLP while other public bodies have succumbed to years of lobbying.
- 13.25 The Appellant does not show any convincing VSC. Four relate to GBC and its local plan which reflect its desire to direct development away from Guildford and from Ash and Tongham. The first VSC has been included in the eLP for political, not planning, reasons. The GBCS should carry no weight as it does not consider VSC and is methodologically flawed. There are many sites in the eLP that are more credible and sustainable alternatives, some of which are outside the Green Belt and some are sustainable urban extensions. The environmental benefits do not suffice to mitigate the harm caused to the loss of the SNCI and strategic habitats adjacent to an SPA.

- 13.26 This is the wrong proposal on the wrong site that will permanently damage our heritage, our traffic system and our environment while not delivering a place where people will want to live. The appeal should be dismissed.

14. The case for Highways England (ID119)

The effect of the proposed development on the safe and efficient operation of the strategic and local road networks

- 14.1 There are a number of minor outstanding points, including the detailed design of the proposed improvements to (i) M25 (J10); (ii) the southbound A3 between M25 (J10) and Ockham; and (iii) Ockham roundabout. The main concern, however, relates to the impact of the development on the northbound A3 between Ockham Interchange and M25 (J10). This section of road has one of the highest numbers of collisions of any part of the SRN and operates under considerable stress. Additional demand on the network from the appeal site will exacerbate safety and operational concerns and will amount to a severe impact. It is therefore common ground that the development is unacceptable in planning terms unless the impact on the SRN can be safely mitigated.
- 14.2 The Appellant acknowledges HE's objection and is trying to resolve it by the submission of further evidence. A list of the required evidence is set out in the SoCG between the Appellant and HE (ID31). The Appellant has submitted evidence to justify the mitigation package now proposed but some evidence is still outstanding. In due course HE should be able to conclude whether the mitigation is acceptable, but this will not be before the close of the Inquiry. The Appellant also needs to show that the mitigation is deliverable.
- 14.3 HE's case was not challenged at the inquiry. Nonetheless, it is necessary to emphasise two points. First, HE strongly objects to the terms of the s106 Agreement whereby the M25 (J10) improvements and the north facing slip roads onto the A3 at Burnt Common (or an alternative financial contribution) are only delivered at a trigger of the occupation of more than 1,000 dwellings. That would permit very significant unmitigated impacts on a severely stressed part of the SRN in circumstances where the effectiveness of the triggered mitigation has not been demonstrated. No weight can be given to these provisions of the s106 Agreement; the provisions are not supported by evidence and are premature.
- 14.4 Second, the Burnt Common slip roads could only be delivered by a side road order promoted by HE itself. HE would also need to consent to their construction under s178 of the Highways Act 1980 in accordance with the terms of its licence from the SoS (ID32). It is not just a case of HE satisfying itself that the mitigation is acceptable.
- 14.5 HE therefore maintains its objection and asks that the appeal be dismissed on account of its unacceptable impact on the SRN, in particular the northbound A3 between the Ockham Interchange and M25 (J10).

15. The case for the Royal Society for the Protection of Birds

[The RSPB were accorded Rule 6(6) status prior to the Inquiry but opted to rely on its Statement of Case and did not present evidence at the Inquiry. Their case, as summarised below, is based upon that Statement of Case and was not subjected to examination at the Inquiry.]

Grounds for objection

- 15.1 The RSPB objected to the planning application due to serious concerns regarding the potential impacts of the proposed development on the interest features of the SPA. The concerns relate to
- The mitigation measures are insufficient to avoid adverse effect on the integrity of the SPA and of its species; and
 - The proposed development is not sustainable in planning terms due to its remote location away from established employment and service opportunities and lack of adequate public transport connections.
- 15.2 There is substantial evidence that nearby housing can give rise to harmful effects on adjacent Annex 1 breeding bird species and their lowland heathland habitat. The evidence does not show that the SoS can conclude, under the Habitats Regulations, that these potential impacts will be removed or avoided. The SoS cannot conclude that there would be no adverse effect on the TBHSPA; in addition the scheme is likely to damage the SSSI and its features.
- 15.3 The proposed SANG has a number of shortcomings that undermine its ability to attract new residents away from the SPA. There is concern that the calculations made to justify the effectiveness of the SANGs at intercepting sufficient visits are not robust. The mitigation measures are not secured for the lifetime of the development. PROWs from the development lead through the proposed SANG onto the SPA.

Planning policy

- 15.4 The cross-boundary approach to the protection of the SPA from the cumulative effects of residential development has been agreed by all 11 TBHSPA local authorities. The principles of this approach are set out in SEP Policy NRM6 and in the TBHSPA Delivery Framework. The success is dependent upon the consistent and robust implementation of policy. The proposed scheme, with all 2068 dwellings within 400-800m of the SPA must be regarded as a large development scheme. Due to its scale, proximity to the SPA and the PROWs, the RSPB do not consider that it has the ability to sufficiently mitigate its impact.
- 15.5 Policy NRM6 seeks to direct developments to those areas where potential adverse effects can be avoided without the need for mitigation measures. The overall effect of the use of SANGs has not yet been verified. The Wisley site is clearly inconsistent with GBC's broad approach to minimise impacts on the SPA. The RSPB is concerned that the SANGs, together with PROWs, will attract residents towards the SPA rather than away from it.
- 15.6 The RSPB is aware that the exclusion of this site from the eLP would lead to a shortfall in housing in the identified 2033 target. However, other sites further from the SPA have been rejected. This housing shortfall should be considered through the ongoing local plan process. The generic mitigation standards for small schemes around the SPA are a starting point; they were not intended for large schemes. The RSPB objected to the allocation of this site in the eLP.

Public Rights Of Way

- 15.7 The existing PROWs fundamentally and unavoidably devalue the northern SANG as an avoidance measure. For example, bridleway BRI16, provides a route across the

SANG to the SPA. A gently sloping mound and planting are unlikely to discourage people from using it; the landscaping makes it an attractive route to the SPA. The routes through the SANG may result in calls for better surfacing through the SANG and the SPA/ SSSI. The quality of footpaths can influence use by dog walkers.

Location and size of the SANG

- 15.8 Bespoke schemes need to consider the conditions pertinent to them; other schemes may not be similar. Without substantive information about their efficacy the fact that other SANGs are comparable in area to other consented developments can give very little weight in the overall evaluation of the likelihood of this SANG being effective. The PROW through the SANG to the SPA is a fundamental concern.
- 15.9 This proposed SANG differs from other consented SANGs as there would be direct access through it to the SPA. The Appellant has to do everything possible to make it an attractive alternative to the SPA. While the SANG, as proposed, would provide a walking loop of sufficient length, it would not provide the variety of walks available in the SPA. It is likely that residents would use the SPA for some of their visits, increasing recreational pressure on the SPA.

SANG discount calculations

- 15.10 A discount needs to be made in respect of the SANGs to be provided to the north and south of the site due to the fact that they have existing access via the PROWs on the site. The RSPB has provided a review of the Appellant's calculation by Footprint Ecology which demonstrates that the available capacity is likely to be significantly lower than the 49.9ha stated by the Appellant and so would not meet the 10ha/ 1000 residents required by NE.
- 15.11 The southern SANG is subject to flooding and a boardwalk may be necessary to allow access. This would reduce its appeal to dog walkers; this should be considered when assessing the effective area of the SANG. The need to provide SANG on areas not subject to flooding has been considered as part of other SANG proposals.

Quality of SANG

- 15.12 It is not considered that the quality of the proposed SANG is sufficient to overcome its locational deficiencies. Car parking is to be shared with the school and community facilities; it is not clear how the 30 spaces for the SANG would be enforced. If the SANG car park is full people would be likely to head to the SPA car parks instead. Dog walkers need a safe route; walking through a large car park risks conflicts with drivers on the school run, again encouraging use of the SPA car parks. The SPA's landscaping would not have sufficient time before first occupation of the houses for anything other than the meadow features. It would need to be fully functioning before the first residents arrive so that the SPA does not become established as the first preference.
- 15.13 Traffic noise would affect the SANG and its tump. The presence of the 2-3 storey houses along the southern boundary of the northern SANG [*confirmed by the Appellant at the Inquiry to be 4-storey*] would be exacerbated by the change in ground levels, with much of the SANG at a lower level. The ongoing construction of the SANG, following first occupation, would detract from its quiet enjoyment, possibly resulting in residents preferring to seek the quiet, more natural environment of the SPA.

- 15.14 The southern SANG, with its boardwalk, would not be ideal for dog walkers. The northern SANG, being as narrow as 75m at one point, would mean that the two arms of the circular walk would be very close together. It would give the walk a contrived feel. The construction routes would also make use of the SANGs less attractive. Overall, it is considered that a substantial number of new residents would use the SPA, resulting in greater disturbance and potential for illegitimate activities such as litter, fires and vandalism. The distribution of Annex 1 birds is such that they are concentrated in that part of the SPA that is not currently subjected to high recreational pressure.

SAMM measures and the "SAMM plus" strategy

- 15.15 The RSPB supports the per-dwelling contribution towards the TBHSPA SAMM project to provide access management and education measures. The SAMM plus strategy is also welcomed. It comprises 1.5 full-time wardening for the Wisley and Ockham Commons in perpetuity; off-site PROW improvements; and the increase in public education via improved signage. These measures, however, are not as preferable as a highly effective SANG.
- 15.16 There may be difficulties in enforcing the increased restrictions that would be in place if the whole of the Wisley and Ockham Commons become Open Access Land. SWT currently provide some wardening; it is essential that the SAMM plus wardening is additional to provide further engagement and enforcement to prevent recreational disturbance impacts. Other wardening should not be reduced due to the SAMM plus wardens.

Traffic mitigation measures

- 15.17 The Appellant places reliance on the traffic measures to reduce the baseline number of visits to the SPA. There is concern that the measures as proposed cannot be relied upon so should be disregarded in any assessment of impacts. The SANG will only be regularly used instead of the SPA if it is easier to get to and provides an equal, or better, experience. Only a few existing residents are in easy walking distance of the SANG and they are also within easy walking distance of the SPA. The link between the roads in the proposed development and Old Lane would provide an easy access to the SPA for those who choose to drive/ walk. The return journey down the A3 would be easy and quick.

Summary

- 15.18 The RSPB considers that the main issues are whether the mitigation measures overcome the issue of the existing PROWs and how well the SANG would function, that is to say whether it would intercept existing SPA visitors. There are serious reservations about the quality of the SANG and hence its ability to be a credible alternative to the SPA. The calculations put forward by the Appellant to the effect that there would be no net increase in numbers are challenged. The calculations are based upon the residents within the TBHSPA zone of influence (a 5km radius) visiting 5 times per year.
- 15.19 The Appellant has not taken distance into account. The use of a visitor study showed that 38% of visitors came from 400m to 2 km and that 31% came from 2km to 5km fails to take account of the fact that far more residents live within the 2 to 5km zone than the 400m to 2km zone. The number of visits declines with distance;

people living in the new development would be within 800m of the SPA. Living so close to the SPA they would be likely to visit more often.

- 15.20 The mitigation measures are not sufficient to enable the SoS to conclude that there would not be an adverse effect on the integrity of the TBHSPA and its species or conclude that the scheme is not likely to damage the SSSI and its species. The proposals do not conform to key legal requirements, including the tests in the Habitats Regulations. The RSPB fundamentally disagrees with the conclusions of NE in this regard.

In-combination assessment (M25 (J10) / Wisley Interchange improvements)

- 15.21 The potential impacts of the appeal proposals need to be considered in combination with the proposed changes to M25 (J10). Three potential options involve land take from the TBHSPA. This would have an adverse effect on the SPA. The later phases of the appeal scheme are dependent upon the junction improvements, linked through the s106 Agreement. Any compensation land would need to be delivered as close as possible to the harm that would be being caused by the scheme. Compensatory habitats would need to be delivered to SPA standard with a view to it being designated as SPA.

Conclusion

- 15.22 The proposals are not consistent with the strategic approach to the avoidance/mitigation of recreational impacts on the TBHSPA as set out in regional and local planning policy and guidance. The deficiencies in the proposed mitigation measures leads the RSPB to conclude that it is not possible for the SoS to conclude no adverse effect on the TBHSPA and its species or conclude that the scheme is not likely to damage the SSSI and its species.

16. Interested persons

- 16.1 **Sir Paul Beresford MP** is the **Member of Parliament for Mole Valley** which includes the appeal site. He commented that while, as a former Planning Minister, he usually avoids getting involved in planning matters, there are exceptional circumstances in this case. Any threat to the Green Belt is vehemently resisted; his volume of correspondence increases every time the Green Belt boundary is threatened. Development in the Green Belt has to be for VSC; housing development is not even special, never mind very special. The site is not brownfield; most of the airstrip was returned to farming after World War II. There would be a harmful effect on infrastructure; the A3/ M25 are crowded with a bad accident record and Guildford By-Pass is a bottleneck. If planning permission is granted, without public transport, traffic will increase as this is an isolated site.
- 16.2 **The Reverend Hugh Grear, Rector of Ockham with Hatcham and Downside**, (ID13) said that the vast majority of the village are implacably opposed to this plan. Historic Ockham is a wonderful parish with a wonderful church. It is mentioned in the Domesday Book (1086) and notable people such as William of Occam and Ada Lovelace have lived here. Three Farm Meadows, as it is locally known, is a vital part of the community with houses on virtually all sides (except the A3 side). The airstrip came about because the community was trying to play its part during WWII. The community is welcoming but this is the wrong plan in the wrong place at the wrong time. Its sheer scale would be devastating to the village.

- 16.3 **Richard Max, of Richard Max Solicitors (ID18)** was instructed by the **Royal Horticultural Society, Wisley (RHS)**. The RHS owns the Grade II* Registered Park and Garden of Wisley, north of the appeal site and the A3. The RHS has recently been granted planning permission for the redevelopment of part of the site which will result in an investment of £70m in the gardens, horticulture, new laboratories and visitor facilities. The RHS has historically supported WAG and been content for WAG to object on its behalf.
- 16.4 It is now clear that there is a parallel process exerting influence over these appeal proposals, the proposed changes to the SRN in the form of the A3/ M25 (J10) Interchange Improvement scheme promoted by HE. These proposals have a knock-on effect on the A3 between the M25 and Ockham Interchange. These proposals, if progressed in accordance with Appendix A of HE's statement³³, would have a wholly unacceptable impact on the RHS gardens at Wisley, both in terms of land take and accessibility.
- 16.5 The preferred route announcement for the improvement scheme was due to pre-date the Inquiry but, at the time of writing, the date for the announcement is not known and it may still not be known when the Inquiry closes. RHS therefore proposes to submit written evidence on highways matters that concern it and its site. In respect of other aspects of the appeal it adopts the evidence of WAG.
- 16.6 **Lesley Tregaskes, (ID29)** local resident, is concerned that the width of Ockham Road North, to the north of the railway bridge, is too narrow to allow two vehicles larger than cars to pass one another without wing mirrors encroaching onto the pavement. The pavement is used by, amongst others, pedestrians with prams and pushchairs accessing the two schools from the village. The increase in large vehicles, including buses, will make walking on the pavement even more dangerous and encourage car use. When doing Community Speed Watch she has witnessed large vehicles encroaching onto the pavement to pass one another.
- 16.7 **Mary Pargeter, (ID30)** local resident, has lived near the site since 1999 and has found serious problems with the sewage system. In periods of sudden or continual heavy rain the manholes discharge foul sewage onto the road and from there into Stratford Brook. Passing cars can spray pedestrians with foul sewage from the road. No solution has yet been resolved with Thames Water; the Ripley Treatment Works is already over capacity. The proposals are forcing a development upon a neglected rural system of already failing infrastructure. The developers will leave residents with the serious fall out and the Green Belt countryside ruined.
- 16.8 **Arnold Pinder, Chairman of Effingham Parish Council (ID37)** raised objections to the development as Effingham, as a close neighbour, would be seriously affected. A local survey showed that 96% of respondents opposed the scheme. The emerging NP for Effingham makes provision for sustainable development within the Parish. The concerns relate to highways, public and private transport and public services. The proposed development would have a severe impact on the local road network. The Appellant's failure to settle the access issue shows that there is no sustainable answer to the highways problems.
- 16.9 The local roads are rural and often narrow where lorries struggle to pass. Often there are no pavements and there are few cycleways leading to safety concerns. The

³³ HE/1/2 (p 20)

junction at Effingham Common Road/ Forest Road/ Old Lane is a safety hotspot and there is a blind hump at the nearby station. Old Lane is used by local traffic heading towards the A3; the road is not suitable for an access from the site. There is concern about residents driving to Effingham Junction station rather than using the expensive, and less flexible, bus service.

- 16.10 The station car park is often full, leading to parking in Effingham Common Road with safety issues. There is insufficient capacity to absorb the additional residents likely to use the station. The site is remote from services meaning residents will use cars. Parking in the village is limited; the safety issue of parking will be exacerbated by people using local schools, services and shops.
- 16.11 There are concerns about the funding for the medical facility and as to whether it would be a GP surgery. GP surgeries in nearby villages are close to capacity and there is planned growth in Effingham, Bookham and the Horsleys. The facility should be fully funded and functioning by the completion of Phase 1. There are also concerns as to whether the schools will be fully funded. If it is not realised where will the children go to school?
- 16.12 Effingham is producing a NP. The Examiner has recommended that it proceed to the final stage, the referendum. The policies therefore carry weight. The proposals would affect three protected views, identified in the emerging NP, especially when trees are not in leaf. While it is accepted that the new development would be some distance away, it is requested that the dwellings be restricted to three storeys in height to minimise the impact on views.
- 16.13 **Vivien White, Chairman, Effingham Residents' Association** (ID38) objects to the scheme and fully supports the case put forward on behalf of EHPC/ WHPC and their professional witnesses. The PC and Residents' Association carried out a joint survey regarding the appeal proposals in June/ July 2017. 24% of households returned questionnaires (354 completed forms). 96% of respondents opposed the development.
- 16.14 VSC have not been demonstrated. The proposal would result in the construction of a new town amidst rural villages with about 5,000 people and 4,000 vehicles. The scale of the buildings would be out of keeping in the area, as would the density. There is concern that the proposals would put pressure on local facilities, especially medical facilities and schools, and the plans for building these in a timely manner are inadequate.
- 16.15 The proposals to mitigate traffic congestion and highway safety issues are totally inadequate, especially at school times and in respect of the overburdened parking situation at Effingham Junction. Trains to London are already overcrowded and this will worsen the situation. Rural roads are not capable of accommodating two lorries passing one another with pavements used, where there are any, to facilitate this. This is dangerous for pedestrians. Wildlife in the area will be irreparably harmed by the proposals.
- 16.16 **Euan Harkness**, local resident, said that cities can accommodate housing of this scale while developers concentrate on the Green Belt to maximise profit. This would be a dormitory town for financial gain. Guildford, with its university, is the ideal location for such development. On this site there are no amenities and it would cause traffic congestion and harmfully impact on the SPA. There are further concerns about the impact on air quality and health.

- 16.17 **Alistair Cochrane**, local resident, has lived in the area and worked on the land for about 30 years. He farmed the appeal site until 2015 when the lease was not renewed. The land has grown many different crops including oil seed rape, rye, wheat maize and potatoes. The land has been used to stockpile manure for spreading on the fields. The fields are accessible throughout the year and regular soil tests show it to be good quality.
- 16.18 **Cathryn Walton**, (ID39) local resident, moved to the semi-rural and peaceful hamlet of Ockham as she understood that the Green Belt was sacrosanct and safe from development. The scale and location of the proposed development would destroy what currently exists. Residents do not oppose new development per se; 11 new dwellings have been built in Ockham Lane in the past 5 years. These fit in with the architecture of the area and do not upset the ethos of a small hamlet. The proposals would destroy our way of life, especially as Ockham Lane would be used as a rat run. The development would eventually subsume Ockham and create the urban sprawl that the Green Belt was created to prevent.
- 16.19 **Garry Walton**, (ID40) local resident, described the history of Ockham which was home to the renowned philosopher, William of Occam, and to Ada Lovelace, scientist and mathematician who became the world's first computer programmer. The church dates from C11 and the "Ockham Hoard" of Bronze Age jewellery and axe heads from around 1400BC is now being evaluated by the British Museum. He added that the developers had brought the villagers together in common purpose, sharpened fund raising skills and harnessed their professional skills. He felt confident that William of Occam would say that the simplest solution would be to "leave it alone".
- 16.20 **Peter Cordrey**, (ID41) local resident, commented that the history of the site has had a harmful effect on him due worry and planning blight. The site was compulsorily taken over as a standby runway for Wellington bombers in WWII, supporting their manufacture at Brooklands. After the war the Government failed to honour its commitment to remove the runway and return the land to agriculture. The land is now deemed Green Belt. He expects that the owners of the land will have been investigated. There would be practical issues with more road accidents, an adverse effect on weekend cyclists, and flooding will get worse. The air will be more polluted and there will be gridlock at commuter times. It is not clear that the Appellant has the resources to pay for the necessary roads and Obligation requirements.
- 16.21 **Jennie Cliff** (ID42) has lived in Ripley all her life; her family have lived there for generations. She is Chair of Ripley Council but was speaking on her own behalf. The first issue is the huge increase in traffic; the local roads can take no more. It also causes pollution and air quality is already proven to be very poor. Country lanes would be lost and with them their hedges, ditches, flowers and grass verges. There could be problems with water supply and sewage disposal as well as increased flooding when the green spaces go. The rural landscape would be lost and there would be light pollution. Small scale developments are tolerable, but this would be overwhelming. While the Appellant's website records 1,438 people have registered their support, only 20 are from the nearby villages while many come from far afield.
- 16.22 **Frances Porter** (ID43) local resident, referred to the far reaching views out to the Surrey Hills AONB. She lives in Elm Corner and her daughter would not wish to live on the appeal site due to the lack of facilities and the need to travel for anything.

She uses the bridleways every day to exercise dogs. Local residents use the Parish Rooms and Cricket Club for events; there was a recent ploughing competition on Three Farms Meadow. The wildlife is amazing; the developers have shown no respect for this with boreholes close to active badger setts. The site is used by walkers, cyclists and bird watchers. The additional traffic would increase the need to widen the A3 with its attendant noise, dust and pollution closer to the houses.

16.23 **Suzie Powell-Cullingford** (ID44) is a local resident as well as being a Ripley Parish Councillor. Her statement was on her own behalf. She does not believe that the Burnt Common slips to the A3 will mitigate the additional traffic from the site. HE says M25 (J10) is the worst performing piece of road in the country; it is frequently near capacity. This has a knock-on effect on nearby villages as the local lane network is the only route available when the A3/ M25 is at a standstill. The cars from the appeal site would be completely unsustainable on the local road network. Not all traffic from the site will travel north/ south on the A3; some will come towards Woking through Ripley. There are already queues back on the A3 south of Burnt Common; the new slips will not alleviate the traffic issues. The residents are under threat from the huge increase in traffic to RHS Wisley which wishes to increase footfall to 1.5m visitors per year.

16.24 **Malcolm Aish** (ID45) local resident and also a Parish Councillor for Ockham. His statement is on his own behalf as WAG/ OPC are formally represented at the Inquiry. He lives some 150m south of the site boundary, outside the land proposed to be removed from the Green Belt in the eLP. The former runway should be returned to farmland after its brief wartime use. He uses the paths and bridleways, which extend to some 5km, regularly. Walking or riding these routes would be manifestly different if it was an urban environment as views, wildlife and the atmosphere would change. The land has had many uses including walking, riding, cycling, bird watching and use by organisations and for recreational uses such as the recent ploughing competition. The elevated position allows long views from the site; 5-storey buildings would be very noticeable. Local roads are narrow; more traffic would mean more pot holes. When the A3 is blocked the local roads become very crowded. The contention that there would be less traffic in Ripley flies in the face of common sense. This is not the solution to Guildford's housing problems and it would cause further problems due to a lack of infrastructure including station car parks.

16.25 **William Barker** (ID46), local resident and, until May 2017, County Councillor for this Division said that confusion and lack of clarity surrounds the planning application, not helped by new proposals added at the 11th hour. GBC unanimously rejected the planning application but it is in the eLP for determination later. Another development of 400 houses at Garlicks Arch, Burnt Common is also proposed. This needs to be considered by HE along with improvements to M25 (J10), the second busiest on the M25. Traffic on local roads will reach crisis point long before the development is completed. Homes should be provided closer to where people work to reduce the use of cars rather than adding to it.

16.26 **Katharine Paulson** (ID47), local resident, lives in Bassetts, Old Lane, Ockham which dates from the late 1700s, has a single brick skin and original sash windows, and is sited close to the road. She has to reverse out of her drive multiple times per day as she has children at different schools. The prospect of buses passing her house every few minutes will cause noise nuisance and windows to rattle. Due to the long construction period houses will be impossible to sell or let. The proposals will have an adverse effect on the rural character and the dangerous roads. We need

to safeguard agricultural land as we currently import 60% of our food. This scheme would result in the irreversible loss of agricultural land which needs to be considered by reason of paragraph 112 of the Framework. The loss of BMV agricultural land so close to London is, on its own, sufficient to dismiss the appeal.

- 16.27 **David Scotland** (ID48), local resident, lives in Hatchford End, one of the 9 hamlets that make up the historic village of Ockham. He set out the history of the area in the form of a story, including the contention that it was the Government's intention to return Three Farm Meadows to agriculture after WWII. The lack of VSC is highlighted. He also described how Three Farm Meadows is, and always has been. Most of the hamlets that make up Ockham interconnect by means of footpaths and bridleways; that is how it has been for hundreds of years. Green Belt should be cherished, nurtured and preserved to be handed down as our legacy to those who follow.
- 16.28 **Alice Jefferies** (ID49), local resident who was born in Guildford and has lived in Ockham all her life. She is a student and queried the maths in some of the calculations in the Appellant's highways evidence. She considered that the sports pitches should not be sited so close to the polluted A3; as an elite athlete she knows that pollution affects her lungs and her performance. She cannot see why any young person would want to live in this isolated location.
- 16.29 **Robert Shatwell** lives in Woking but was once the local policeman for the Wisley/ Ripley/ Ockham area, cycling around in the area, even at night. He accepts the need for housing but this should not be built on good quality agricultural land. Woking solved the problem of having to build more houses by allowing tower blocks in the town centre close to the station, shops, cafes and employment. The Green Belt needs to be protected for food production and for the sake of the wildlife.
- 16.30 **Harry Eve** (ID50), local resident, objected to the planning application. He has taken an interest in transport assessment for the last 4 years and constructed several traffic flow models. It is clear that very significant rerouting of traffic will take place as a result of this development. He asserted that the level of rerouting from the modelling process constitutes a severe impact for the purposes of paragraph 32 of the Framework. The impact would be severe as drivers would have to take longer journeys on less suitable roads with additional risks associated with them. The development would reduce the efficiency of the road network and compromise the safety of road users. He was surprised that some of the trip numbers actually reduce as a result of the development, which casts doubt on the methodology. The proposed options for changes to the RHS Wisley access, with additional traffic on the Ockham roundabout, will need detailed consideration in terms of capacity. He also pointed out some alleged arithmetic discrepancies in the Appellant's calculations.
- 16.31 **Clare Attard** (ID51) lives at Upton Farm, Ockham Lane, a Grade II listed building dating from about 1420. The hamlet has only about 150 dwellings and most residents moved here because they did not want to live in a town. She cannot understand how Three Farm Meadows can be considered by GBC for housing as it will devastate Ockham and alter the character of the area. It would harm the setting of listed buildings. The site is to be protected, surrounded by Green Belt and agricultural land. GBC unanimously rejected the planning application in line with the Officers' recommendation.

- 16.32 **Carol Cordrey**, local resident, from Old Lane, Ockham has lived in Ockham for many years. The lack of street lighting and pavements is welcomed as they bought into a rural environment. She is concerned about traffic congestion, with the access to Effingham Junction being particularly busy and difficult with a humped bridge and an inadequate car park. The route to the station along Old Lane, with no pavements or lighting, would be dangerous, especially in the dark. Not all cyclists wear high-visibility clothing and they can ride 2- or 3- abreast which significantly slows down traffic. Traffic is particularly bad at the time of the annual RHS Wisley flower show; the Ockham Interchange will be jammed as RHS Wisley is seeking 50% more visitors.
- 16.33 **David Boothby** (ID52), local resident, raised concerns about traffic and the difficulty in exiting Chilbrook Lane especially due to parked cars associated with the school. He is concerned about traffic speeds. With the revised scheme he is concerned for safety on Plough Lane which is not suitable for regular two-way traffic as it slows to pass and sometimes larger vehicles have to manoeuvre to pass one another. This will affect road safety. In winter the roads are often closed due to flooding from field run-off which will divert traffic onto other roads. Ockham Lane also suffers from flooding as does the entrance to Ockham Interchange. Guilleshill Lane is also an issue due to its narrow width and limited passing spaces. He accepts the need for more housing and taking land out of the Green Belt, but this is more than the local community can absorb.
- 16.34 **Glen Travers** (ID53) a local resident of Ockham, considered this to be an oversized, misplaced development in the Green Belt. There are huge infrastructure costs due to its isolated, difficult and congested location. It has been unable to mitigate the impact on the SRN in spite of the best efforts of HE. RHS Wisley has received planning permission for a major expansion. This will result in competing traffic, access and pollution issues. The severe highways impact feeds into the local road network. There are air quality exceedances and noise issues for surrounding communities. There would be harm to local heritage assets and harm due to long views of 5-storey buildings. There are misleading statements from the Appellant in the evidence on highways and air quality. The scheme is ill-conceived, premature, uncertain and undeliverable.
- 16.35 **Annie Cross** (ID54) has been a local resident of Ripley for 41 years. She acknowledges the need for GBC to plan for future housing and that Three Farm Meadows is one of the three large strategic sites in the eLP. She is concerned as to whether the Appellant will deliver on the promises made. It is likely to be accessed mostly by car as footways to other settlements are unlit and isolated. Nearby services are likely to be swamped by new residents. Sites in urban areas are proposed; this is the only site in the eLP for housing that is not adjacent to the urban area. Few of the identified supporters of the scheme are from the local area; there are 2,000 letters of objection and 7 of support. Only 17ha of the land is brownfield; some had hangers on it but most was runway. The objections show that the development is not wanted. An urban estate in the countryside will destroy the character and landscape of the area forever.
- 16.36 **Jane Paton** (ID55) is the mother of Ben Paton, who lives at Yarne. Her parents lived in that house from 1932 and carried out extensive improvements to the house and garden. The new town, if built, would completely destroy the setting of Yarne and the historic parish of Ockham. It would be a small area densely packed with dwellings and devoid of pavements.

- 16.37 **Jan Lofthouse** (ID69), a resident of Old Lane, Ockham, walks every day with her dogs over Three Farm Meadows and enjoys seeing the wildlife. She liaises with the SWT who graze Belted Galloway cattle on the adjoining land. The small village would be smothered by the urban settlement, ten times the size and population of Ockham. There are village activities which have raised money to fight this scheme which threatens our way of life and the peaceful enjoyment of our homes. Urban housing should be adjacent to Guildford or another major city with infrastructure, jobs and transport links. GBC turned the planning application down on 14 grounds; how can the Council's position have changed so much now?
- 16.38 **Amy Barklam**, local resident, noted that the land owner was not present at the Inquiry. She has experienced hate crime against her with graffiti etc. The land owner has refused to engage in the process.
- 16.39 **Peter Heath**, local resident, is concerned at traffic congestion in Send village. The Burnt Common access to the A3 will increase the traffic problem. The proposals would result in additional traffic on the road to Woking as the train to London is quicker on that line.
- 16.40 **Emily Haywood** (ID58), Chairperson of Ockham and Hatchford Residents' Association, lives in a house overlooking Three Farm Meadows. She said that 2000+ homes in this location would be completely out of keeping with the rural area; you cannot have an urban density in a rural area without impacting on the quality of life. The site is in the Green Belt which is this generation's responsibility to protect. It would impact on the safe and efficient operation of the busiest junction of the M25, on the A3 and on local roads and stations. A car dependant site is not sustainable. The community does not want the development which is not well located. It would harm air quality. A thriving community needs more than just somewhere to live; it needs accessible transport links and a healthy environment in which to live.
- 16.41 **Julia Paton** (ID56) and **Arthur Paton** (ID57), residents of Yarne, read out poems that they had written about their home and its surroundings.

17. Written Representations

- 17.1 During the Inquiry several written representations were received.
- 17.2 **West Clandon Parish Council** (ID20) is concerned about the likely impact of traffic on the A247 through West Clandon village. The proposed north facing slips at Burnt Common could potentially exacerbate this. The A247 carries large volumes of traffic and part of it is too narrow for large vehicles to pass in safety without increasing danger for pedestrians. The slips could increase the attractiveness of the route through the village via the A247. The slips might provide a quick fix for a section of the B2215 but only at the expense of increased pressure on other parts of the local road network.
- 17.3 **East Clandon Parish Council** (ID21) wrote to say that it had become aware of the proposals to construct the Burnt Common north facing slips. This latest change in the proposals leaves a number of essential matters unknown and prejudices the position of the PC. The road through East Clandon carries a substantial amount of traffic wishing to gain access to the north- and south-bound lanes of the A3. This revised scheme has denied the PCs the opportunity of being properly consulted on traffic and road safety aspects.

- 17.4 **Surrey County Council** (ID22) wrote in the capacity as one of the Highway Authorities involved in the proposals. Initially SCC raised objections on the grounds that it had not been demonstrated that there would not be a severe impact on the local road network and that the proposals did not provide sustainable transport solutions. Following discussions, and subject to the s106 Agreement delivering the required package, SCC considers that there would no longer be a severe impact. SCC considers that a combination of (i) the provision of the north facing slips at Burnt Common; (ii) a robust provision for a comprehensive network of public transport local bus services in perpetuity; and (iii) a significant contribution/provision in kind for material improvements to the local cycling network to be integral to the ability of the site to provide sustainable transport solutions. SCC add that some of the triggers in the Agreement are later in time than would normally be considered necessary.
- 17.5 **The Royal Horticultural Society (Wisley)** (ID36) made a written statement in response to HE's evidence and the SoCG between the Appellant and HE. While the witness for HE indicated that it was likely that the RIS Scheme for the A3/ M25 (J10) would address the impacts of the appeal proposals, there is no evidence before the Inquiry which deals with the RIS Scheme in conjunction with both the committed development at the RHS and the appeal scheme. The RHS has been told that the modelling work for the RIS Scheme will not be available until after the preferred route announcement.
- 17.6 The witness for HE described two options for the stopping up of the direct Wisley Lane connection between the RHS and the A3 by either (i) providing access from the Ockham Interchange to Wisley Lane within the RHS land or (ii) utilising land within the appeal site and a new bridge over the A3. Plans of these options are appended to ID36. HE was, at the time of writing, in discussions with the Appellant to provide a condition to safeguard option (ii). [*Included at Annex 4 to this Report as suggested condition 6*]. The RHS has made it clear that option (i), involving land within RHS Wisley Garden, would have a totally unacceptable impact on the Garden, its successful operation and on important trees which would be lost.
- 17.7 The RHS has been liaising with HE regarding the access utilising part of the appeal site to minimise RHS land take; avoid impact on the SPA; avoid impacts on ancient woodland adjacent to the A3; and minimise land take within the appeal site. These discussions are on-going and no details have been agreed. Option (ii) would involve some land take within RHS Wisley Garden to bridge over the A3 but this would not impact on the most valuable garden land or the ancient woodland. Option (ii) would, however, have some impact on the proposed employment uses as shown on the indicative masterplan for the appeal site, as shown on Plan 3 attached to ID36.
- 17.8 The Officers' Report to GBC's Planning Committee states that there were **2,201 written representations** received raising **objections** to the proposed development on the following grounds:
- Impact on the Green Belt
 - Harmful to openness of Green Belt
 - Should not be considered to be previously developed land
 - Site is not brownfield
 - Over estimate of the amount of hard surfacing on the site
 - Conflict with Surrey Waste Plan
 - Lack of very special circumstances
 - Prematurity/ in advance of eLP

- Lack of deliverability in 5 years
- Overly dense development
- Scale and layout is overly urban
- Impact on local views from village
- Impact on long range views including impact on AONB
- Density would result in poor quality housing
- Would overwhelm existing smaller settlements
- Impact on the Ockham Conservation Area
- Impact on setting of Listed Buildings
- Harmful to views from RHS Wisley
- Potential harm to plant life at RHS Wisley
- Impact on highway network/ highway safety
- Impact of traffic on neighbouring villages
- Road impact of road closures/ highways mitigation
- Lack of southbound A3 slip at Ockham
- Lack of alternatives to private car for transport
- Poor public transport connections
- Development is not sustainable
- Lack of health care provision
- Transport assessment assumptions are unrealistic
- Surrounding rail stations are at capacity
- Impact on TBHSPA/ SSSI
- Impact on local biodiversity/ SNCI
- Impact on protected species on the site
- Impact on rights of way
- Air quality impacts
- Impacts from light pollution
- Flooding and surface water drainage concerns
- Lack of waste water capacity in the area
- Uncertainty regarding the removal of NATS beacon
- Lack of school places in the area / insufficient provision in development
- Open space/ play space standards are not met
- Loss of BMV agricultural land.

17.9 The Report also noted that there had been an **electronic petition** raising **objections** to the development with some 25,352 UK based signatures and 1,305 comments. The issues raised are covered by those set out above.

17.10 In addition there were **7 written representations** received in **support** of the development, the main issues raised included:

- Need for additional housing
- Good transport links
- Preferable to expanding other villages.

17.11 The officers' Report also sets out the other representations received in respect of the planning application. Many of these are from parties who were represented at the Inquiry, either as Rule 6(6) parties or through giving oral evidence, and as their comments are summarised above they are not repeated here. The representations of the other organisations who commented on the planning application are set out below:

17.12 **Elmbridge Borough Council** raised concerns regarding the impact of the development on the highway network within the A317/A319 corridor to M25 (J11);

impact on the openness of the Green Belt and lack of VSC; proposals would not take account of impact of development outside the Borough; and it would amend the Green Belt boundary which should be done through the local plan process. If GBC approve the scheme a secondary school and improved access to railway stations at Effingham and Cobham should be secured.

- 17.13 **Woking Borough Council** objected to the impact of the development on key infrastructure, facilities and services in Woking Borough until it can be demonstrated that there would be no adverse impacts on them.
- 17.14 **Mole Valley District Council** objected on grounds of inappropriate development in the Green Belt; harm to openness; and encroachment into the countryside without any VSC to justify making an exception. Other concerns included the release of Green Belt land in advance of the eLP and the impact on transport and infrastructure including education.
- 17.15 **Send Parish Council** objected on Green Belt grounds; lack of infrastructure in the area; and impact on RHS Wisley.
- 17.16 The **Guildford Society** objected on the grounds that approval should not be considered until the revision of the eLP is published. It was concerned that the development would be too large to be assimilated as a housing scheme yet too small to be a viable new community.
- 17.17 The **Ripley Society** objected on grounds of impact on the Green Belt; encroachment into the countryside; unsustainability of the location; air quality; and potential impact on plants at RHS Wisley.
- 17.18 **Bookham Residents' Association** objected to local road closures and raised concern about the size of the proposed development and the ability of existing infrastructure to cope.
- 17.19 **Byfleet, West Byfleet & Pyrford Residents' Association** raised concerns about the impact of the proposals on these villages and on the effect on infrastructure, particularly education, the road network and flooding and drainage issues.
- 17.20 **Downside & Hatchford Community Group** objected on grounds of inappropriate development in the Green Belt without VSC. Concerns about impact on the road network, other infrastructure and the effect on the character of the area were also raised.
- 17.21 **Cobham & Downside Residents' Association** objected due to harm to the Green Belt and rural character. Also concerns about scale and impacts on adjoining boroughs, air quality and the highway network.
- 17.22 **Natural England** is satisfied that the proposal is unlikely to lead to a significant effect on the TBHSPA. This is subject to securing the package of mitigation outlined in the application. NE has requested that various details relating to the SANG be secured and agreed with them before planning permission. These include the site ownership; the body responsible for its management; and management and financial security in perpetuity. NE also noted that the Habitat Regulations Assessment has been produced by the Appellant, not GBC. As the competent authority it is a requirement that GBC produce an Assessment prior to the grant of any permission that may have an impact on the SPA.

- 17.23 **Department for Environment, Food and Rural Affairs** says that NE is the Nominated Body to respond to proposals affecting agricultural land on behalf of DEFRA. NE advises that a proportion of the agricultural land affected by the development is BMV. If the development proceeds the developer should use an appropriately experienced soil specialist to advise on, and supervise, soil handling and how to make the best use of the different soils on the site.
- 17.24 The **Environment Agency** considered the proposal in relation to flood risk, groundwater protection, land contamination and biodiversity. No objection was raised subject to the imposition of various suggested conditions.
- 17.25 **Surrey County Council**, as **Lead Local Flood Authority** is satisfied that the proposed outline drainage strategy meets the relevant technical guidance. Planning conditions are suggested to ensure that the SuDS scheme is implemented and thereafter maintained.
- 17.26 **Thames Water** said that the developer-funded impact study has shown that there is not sufficient capacity to accept the development. There are capacity concerns in respect of Ripley Sewage Treatment Works to accept the proposed flows. A condition is required to ensure that the relevant upgrade works are carried out prior to the connection of any new properties.
- 17.27 **Historic England** raised no objections insofar as the proposals relate to All Saints, Ockham and RHS Wisley. It recommended that GBC considers the impact on grade II buildings and undesignated heritage assets.
- 17.28 The **National Air Traffic Service** raised no objection subject to the imposition of conditions relating to the phasing of development in respect of the planned withdrawal of the VOR navigation beacon.
- 17.29 The **County Archaeologist, Surrey County Council** noted that the site exceeds the threshold triggered in LP Policy HE11. As there has been little intrusive archaeological investigation in the vicinity, there is the possibility that unknown archaeological assets would be destroyed during the development. Further investigations are required prior to the commencement of development and this should be the subject of a condition.
- 17.30 **Surrey & Sussex Police** considers that additional infrastructure is required to police the new settlement and has requested £215,235 towards the provision of infrastructure. An on-site Neighbourhood Policing Centre is required (30 sq m) with 2 parking spaces.
- 17.31 The **Ecological Planning Advisor, Surrey Wildlife Trust** raised concerns about the impact on the TBHSPA and the ability of the SANG to mitigate the impact. The whole site was recommended to be an SNCI in 2007 and there is concern at its loss and the reduction in biodiversity value of the site.
- 17.32 The **Living Landscapes Manager, Surrey Wildlife Trust** objected due to potential impact on the TBHSPA and Ockham and Wisley Commons SSSI; loss of Wisley Airfield SNCI; the impact on breeding and wintering birds; and the impact on protected species.
- 17.33 The **Campaign to Protect Rural England** objected primarily on the grounds of inappropriate development in the Green Belt. Concerns were also raised about whether the site is PDL; additional traffic; water infrastructure; and biodiversity.

- 17.34 The **Surrey Hills AONB Officer** raised no significant concerns relating to the AONB or AGLV. Some concerns were raised about the propensity of traffic from the proposed development to use routes through the AONB thereby spoiling its character and relative tranquillity.
- 17.35 There were also **278 written representations** made in respect of this appeal; many by nearby residents including some who also spoke at the Inquiry. The written comments are broadly in line with those set out in the oral representations to the Inquiry together with those made in respect of the planning application and summarised above.
- 17.36 On 12 July 2017 GBC carried out a further consultation exercise in respect of the amended plans that were submitted just before the PIM. **140 responses** were received, generally re-iterating previous objections to the proposals. **One letter** was received in support of the proposals, on the basis that it would provide homes, and complaining about the "heavily coached" letter being sent by WAG to local residents inviting them to write to GBC raising objections.

18. Conditions

- 18.1 A draft list of suggested conditions (ID1) was submitted at the opening of the Inquiry. A revised list (ID122), which had been agreed by the Appellant and GBC, was submitted during the Inquiry and these conditions were discussed at a round-table session towards the end of the Inquiry. The suggested conditions are set out as an Annex to this Report and include the standard conditions setting out timescales for the submission of details and listing the approved plans.
- 18.2 The scheme would be developed in four phases and so a construction management plan, setting out the phasing, construction routes and compounds is necessary. Any sub-phases within the overall phasing needs to be approved by the Council to ensure the proper planning of the development and within each sub-phase a site waste management plan is necessary to protect the local environment. Details of the proposed tump need to be provided as this will involve a large amount of movement of materials within the site. A soil specialist is needed to advise on how to make the best use and reuse of the better quality soil on the site and to ensure that the impact of the loss of some BMV agricultural land is reduced.
- 18.3 The SANG phasing strategy and its construction, environment management and implementation strategies all need to be provided to ensure its proper planning and a coordinated construction process. Car parking for the SANG needs to be provided and maintained; the location of this may change as the scheme progresses.
- 18.4 To ensure a coordinated design process across the four phases, a master phase design framework is needed, with sub-phase design frameworks including public realm (including public art), architecture, lighting and boundary treatment. In respect of Phase 4, adjacent to Yarne, a Grade II listed building, various parameters, including building heights, scale and massing need to be approved.
- 18.5 The composition of the village centre, together with its timing for delivery, need to be approved before 400 dwellings are occupied to ensure that it is delivered in tandem with the housing. For the same reasons, the employment/ commercial floorspace needs to be safeguarded and provided before 1500 dwellings are occupied.

- 18.6 Tree protection during construction needs to be conditioned, as does the landscaping of the site which needs to be set out in a landscape management plan to ensure its implementation by sub phase and its subsequent management including the replacement of trees/ vegetation that dies or is damaged. This is all necessary in the interests of the appearance of the area. The sports pavilion and MUGA need to be conditioned to ensure their provision in a timely manner. An energy and sustainability strategy needs to be approved in the interests of energy efficiency.
- 18.7 The countryside rights of way need to be safeguarded to ensure delivery and a PROW strategy is necessary to ensure that the existing PROWs are retained and maintained. The access roads, driveways, parking and turning areas need to be provided within each sub-phase to ensure that adequate access and parking is provided. The Travel Plan is necessary in the interests of encouraging sustainable modes of transport, as it the provision of on-site public transport infrastructure.
- 18.8 Off-site highway works are necessary to mitigate the impact of the proposals on the local and strategic road networks; this has to be linked to the number of dwellings occupied in order to ensure that the works are completed in a timely manner.
- 18.9 A surface water drainage strategy, a ground water protection strategy and a SuDs strategy are necessary in the interests of the environment and to mitigate flood risk. The proposed waste water drainage scheme needs to be submitted and approved, including any off-site infrastructure, as no such details have been submitted. The new bridge over the Stratford Brook needs to be provided, and the 8m buffer zone to that Brook implemented in the interests of the environment.
- 18.10 Concerning potential contamination within the site, a site-wide contamination report needs to be provided and acted on as necessary. There needs to be a strategy for dealing with any unexpected contamination to ensure that any potential risks are managed. Further conditions are necessary in respect of archaeology, ecology, noise and utilities in the interests of archaeological investigation, biodiversity, and the amenity and living conditions of future residents.
- 18.11 The Beacon needs to be protected and safeguarded until it is decommissioned in the interests of NATS. An employment and skills strategy is necessary in the interests of local employment.

19. Obligations

- 19.1 Two unsigned Agreements under s106 of the Act were submitted during the Inquiry. These were discussed at a round table session during the Inquiry. Completed, signed versions were submitted in accordance with an agreed timetable shortly after the Inquiry closed. The Agreements are (i) between the Appellant, GBC and SCC; and (ii) between the Appellant and GBC. The reason for there being two separate Agreements is because the Appellant could not get the agreement of SCC in respect of the proposed secondary level school.
- 19.2 Saved LP Policy G6 (CD8.1 p28) says that where necessary to the grant of planning permission and in order to meet a planning need arising from a proposed development, GBC will seek from developers the provision of suitable planning benefits. Supporting paragraph 4.45 says that these benefits will normally be achieved through the use of s106 obligations.
- 19.3 Consideration of obligations is undertaken in the light of the advice at paragraph 204 of the Framework and the statutory requirements of Regulation 122 of the

Community Infrastructure Levy Regulations 2010 (as amended) (CIL Regs). These require that planning obligations should only be accepted where they meet the following tests:

- they are necessary to make the development acceptable in planning terms;
- they are directly related to the development; and
- they are fairly and reasonably related in scale and kind to it.

Both obligations are conditional upon the appeal succeeding and planning permission being granted

(i) *The Agreement between the Appellant, GBC and SCC (ID123)*

- 19.4 This is an outline application with all matters other than access into the site reserved for future consideration. Nonetheless the appellant has set out a number of details in the s106 Agreement, and brief details are set out here. The Appellant has covenanted not to construct or operate the IVC, for which there is an extant planning permission. The master plan and sub-phasing plan, together with the master phase design framework and sub-phase frameworks to be approved by GBC will provide for a minimum of 2,000 dwellings on the site.
- 19.5 The SANG works will be implemented in accordance with the SANG Management Plan. On completion the SANG land will be transferred to the WACT. The SANG contributions shall be paid prior to the occupation of each 100 dwellings. The s106 sets out a mix for the affordable housing. Not less than 40% of the Class C3 dwellings shall be affordable units and there are various timescales to ensure that these are provided prior to the occupation of all the market units within each phase.
- 19.6 The traveller site has to be completed prior to the occupation of 1,000 dwellings and kept available for that use thereafter. The timing has been designed to ensure that there is a community on the site before the pitches are provided and to ensure that the tump, which would be close to the traveller site, has been constructed to prevent unacceptable disturbance to the travellers.
- 19.7 Concerning off-site highway works, triggers for each of the various elements have been agreed with SCC. The works include improvements to the Effingham Junction Crossroads and to the Send roundabout. Bus infrastructure improvements, and bus stops, are to be provided at Horsley Station and Effingham Junction Station. The Wisley Airfield Cycle Route shall be provided and a financial contribution of £2m shall be paid to SCC towards cycling provision.
- 19.8 The development shall not commence until the Appellant has entered into a Highways Agreement with HE or SCC (as applicable) in respect of works to Ockham Interchange. The A3 slips need to be provided, or a funding payment made to SCC, prior to the occupation of more than 1,000 dwellings.
- 19.9 Various bus services, with identified routes, frequency of service and times when the services shall run are set out. A financial contribution shall be made for local libraries or library services. The healthcare facility shall be constructed prior to the occupation of 650 dwellings and various measures are proposed to endeavour to find suitable healthcare providers. The community facility shall be provided before more than 499 dwellings are occupied. A temporary facility shall be provided before more

than 75 dwellings are occupied to ensure that facilities are available shortly after the first residents arrive.

19.10 Part of this temporary building shall be made available for use by Surrey Police, who shall also receive contributions towards neighbourhood policing infrastructure. The public open space is required to be provided and surfaced; the playing pitches to be in accordance with the Sports England standards. Funding shall be provided towards dedicated GBC resourcing. Monitoring details for the progress of the scheme are set out.

19.11 There are various provisions towards the establishment of the WACT, including its business plan, endowment scheme and implementation agreement. There are proposals for the Board of Trustees and its functions are set out.

(ii) The Agreement between the Appellant and GBC (ID124)

19.12 This Agreement makes provision for education facilities. It says that the Appellant shall deliver, or procure the delivery of, an All Through School on the site. This is defined as an all through primary and secondary school with two forms of entry at primary level and four forms of entry at secondary level and including a state maintained nursery. The Agreement sets out various requirements for the submission of details, approval of details and its construction in terms of the numbers of dwellings that may be occupied at each stage. The nursery shall be constructed by the Appellant with space for 140 children aged three to four and for 12 children aged two.

20. Inspector's Conclusions

20.1 The following considerations are based upon the evidence given at the Inquiry, the written submissions and my inspections of the site and surrounding area. In this section the numbers in square brackets [] refer to paragraphs in the preceding sections of this Report.

The site and its surroundings [2.1-2.8]

20.2 The site and its surroundings are described in Section 2 (above). There is a further, and fuller, description in Section 3 of the Landscape and Visual chapter of the ES (CD14.1.11). There are photographs of the site and its surroundings in a number of documents, but are most clearly shown in Mr Davies' proof of evidence (WPI/2/1).

20.3 In brief, the site has an area of about 114.7ha and is highly linear in shape, having a length of about 2.5km and a maximum width of about 0.6km. It comprises the former Wisley Airfield which was constructed in 1944 for the testing of aircraft and which closed in 1979. One small building, together with the runway and other hardstandings remain. On the site there is a facility known as "The Beacon" which is the Ockham VHF Omni-directional Range VOR and Distance Measuring Equipment, accessed from Ockham Lane to the south.

20.4 Some 29.9ha (about 26%) of the site is hard surfaced and so comprises PDL with the remainder comprising a mix of agricultural uses, woodland and scrub grassland. There are several PROWs that cross the site, generally running

either east-west or north-south linking through to Ockham Lane and other PROWs and public open space to the north. These PROWs are the only public access onto the site.

- 20.5 The site lies at the heart of the parish of Ockham whose boundaries are roughly star-shaped. Ockham parish comprises a community of hamlets and dwellings scattered over a wide area. Ockham, with its Grade I listed Church of All Saints is the largest of these. The other settlements are dotted around the parish, with three of them, Elm Corner, Martyr's Green and Hatchford End all more-or-less abutting the appeal site to the north and east. Outside these small settlements the area is characterised by narrow lanes, high hedges, public footpaths and intermittent houses and farms. Fields tend to be relatively small, often separated by hedges that include mature trees, and there are several significant areas of woodland. Taken as a whole, the parish exudes an enclosed, rural character, in stark contrast to the rather more bleak openness of much of the appeal site.
- 20.6 The topography is best illustrated in Mr Davies' proof (WPI/2/1, p 11). It is a very relevant characteristic as the site lies on a ridge that runs parallel with the runway. There is a slight slope downhill from east to west, with the highest part of the land adjacent to Yarne in the south east corner. Some way to the south, but clearly visible from within the site, lie the Surrey Hills AONB.

Proposals and plans [1.7-1.9, 3.1-3.4, 7.1]

- 20.7 The planning application was made in outline form with all matters other than means of access onto the site reserved for further consideration. An indicative masterplan has been submitted indicating how the site could be developed to accommodate the proposed development. Various parameter plans are for approval at this stage.
- 20.8 It is proposed to construct a new settlement of 2068 dwellings comprising 1200 units of market housing; 800 units of affordable housing; 60 units of sheltered housing; and 8 pitches for use by travellers. The scheme also proposes about 2,240 sq m of retail floorspace (A1, A2, A3, A4, A5); 1,790 sq m of offices (B1); 2,500 sq m of general industrial, storage and distribution (B2/ B8); and 730 sq m of health centre. There would be around 50ha of SANG; 5.85ha of playing fields; and 6.8ha of children's play space (including 1.3ha of equipped play space).
- 20.9 The indicative masterplan and the parameter plans indicate that the new settlement would have a strongly linear form, running west/ east across the site. The northern part of the site, where it adjoins the TBHSPA, would be used to provide the SANG. The development would have four distinct phases running west to east across the site and each having a separate identity. There would be a village centre where the schools, community facilities and commercial premises would be located, with an industrial/ storage area towards the western end of the site. The central spine road would be a bus route linking all the phases; the roads would be green routes to encourage cycling and walking.
- 20.10 The main site access would be from the Ockham Interchange, to the west of the site, giving access to the A3 (northbound) and the B2215 southbound to Ripley and Burnt Common where traffic can join the southbound carriageway of

the A3. There would be a secondary vehicular access to Old Lane, to the east. All the PROWs across the site would be retained on their present alignments.

20.11 The on-site part of the scheme before the Inquiry was almost identical to that considered by GBC; the principal amendment being the inclusion of design parameters being provided to ensure that there would be a gap between the new housing and the Grade II listed Yarne in the south east corner. There were other, minor, technical alterations to the design of the access points. These amended plans were submitted before the PIM, GBC consulted on them in July 2017 and I have used them for this Report.

20.12 A revised parameter plan was submitted during the Inquiry to take account of comments made concerning the relationship of the scheme with Yarne. This amended plan, Drawing No 1715/SK/88 (ID78) shows a further reduction in development close to Yarne. These further limitations are more clearly shown on Drawings No 1715/SK/709 & 710 Rev B and have also been taken into account. Their provisions have been carried forward in suggested condition 16.

20.13 Concerning off-site highway works, these were partly changed by the Appellant between the refusal of planning permission and the submission of the proofs of evidence. The changes were to take account of the requirements of HE and the provisions of Policy A43a in the eLP. A full list of the off-site highway works is set out in the Annex to the Appellant's opening speech (ID5) and in Mr McKay's proof of evidence (WPI/4/1). The main changes are the introduction of the north facing slip roads at Burnt Common; the deletion of the additional northbound lane on the A3 to M25 (J10); the deletion of the highway mitigation measures in Ripley; and the deletion of several possible local road closures. This Report is based on these revised off-site works as set out in the Appellant's proofs of evidence.

20.14 A full set of the appeal plans is in ID110.

Planning policy [5.1-5.14, 7.2, 7.4-7.7, 7.8-7.14, 9.42-9.43, 10.4-10.6, 11.2-11.4]

20.15 The parties agree that for the purposes of this appeal the development plan includes the saved policies of the GBLP (CD8.1); a saved policy from the SEP (CD8.3); and the SWP (CD8.4). The emerging plans include the eLP (CD8.24) and the Lovelace NP (NP).

20.16 There are no policies in the GBLP that relate to housing land supply. GBC acknowledges that it cannot demonstrate a five-year housing land supply.

20.17 GBC and the Appellant agree that the GBLP is out of date. Its end date is 2006 and its evidence base dates from the last century. Nonetheless, some of the relevant policies were saved in 2007 (CD8.2). The fact that the Plan is out of date does not mean that its policies cannot carry weight. The amount of weight must be commensurate with their consistency with the Framework, as set out in paragraph 215 of the Framework. In this case, Policies G1 (General standards of development) and G5 (Design code) are compliant with the Framework and so carry substantial weight. Similarly Policy G6 (Planning benefits) is consistent with the decision taking chapter in the Framework and so also carries substantial weight.

20.18 While Policy RE2 (Development within the Green Belt) identifies that new development in the Green Belt will be inappropriate unless it is for one of 6

identified uses, it does not go on to say that inappropriate development should not be approved except in VSC. While the GBLP does make reference to the VSC test, for example in paragraph 5.64, this is in the context of affordable housing which is one of identified exceptions in Policy RE2. As it does not make allowance for any other form of development in the Green Belt it is not fully consistent with the Framework and so it carries only limited weight.

- 20.19 Policy H12 (Affordable housing), while relevant to this appeal, identifies a lower affordable housing requirement than the eLP. The current proposals are fully in accordance with the eLP and so exceed the requirements of this policy.
- 20.20 The SEP was largely revoked in 2013 but Policy NRM6 (TBHSPA) was saved and remains extant. This policy says that new residential development that is likely to have a significant effect on the ecological integrity of the TBHSPA will be required to demonstrate that adequate measures are put in place to avoid or mitigate any potential adverse effects. The policy carries substantial weight and the development proposals exceed the standards of mitigation it requires.
- 20.21 The SWP was adopted in 2008 and subsequently amended in 2009. Policy WD2 (Recycling, storage, transfer, materials recovery and processing facilities (excluding thermal treatment)) allocates a parcel of land of some 17ha within the appeal site. Policy DC1 safeguards allocated sites from non-waste development. While it is quite elderly, the SWP does not appear to have an end date and remains extant. GBC accepts that the site will not be allocated for this use in the emerging Waste Plan and so this Policy carries very limited weight.
- 20.22 The timetable for the eLP was initially set out in the Local Development Scheme (LDS) (2015) which set out a submission date of December 2016 with adoption in December 2017. Following the Regulation 19 consultation amendments were proposed which resulted in further round of public consultation. A revised LDS envisages submission in December 2017 leading to adoption in December 2018.
- 20.23 Paragraph 216 of the Framework says that weight may be given to relevant policies in emerging plans. Three relevant factors are cited: the stage of preparation of the emerging plan; the extent to which there are unresolved objections to relevant policies; and the degree of consistency of the relevant policies in the emerging plan to the policies in the Framework.
- 20.24 I agree with those parties, including GBC and the Appellant, who consider that the eLP is at an advanced stage as it is intended to submit it in December 2017. I also agree with the parties who consider that the relevant policies are fully consistent with the Framework. However, there are a high number of unresolved objections. The Regulation 19 consultation in summer 2016 generated some 32,000 comments from the public and a high proportion of these related to the possible release of Green Belt land and/ or the creation of a new settlement at Wisley.
- 20.25 The second bullet point of paragraph 216 of the Framework refers to the significance of the unresolved objections. On the assumption, confirmed by the GBC witness, that the objections are similar to those raised at this Inquiry I consider that the unresolved objections are highly significant. Some go to the heart of GBC's strategy for development in the Borough; some relate to the principle of releasing land in the Green Belt; others are more detailed objections

to the impact of the proposed development including the slip roads at Burnt Common. In these circumstances I consider that the eLP can only carry limited weight. While it indicates the intended direction of travel the unresolved objections remain too significant for it to carry more weight.

20.26 Several other policy documents were referred to at the Inquiry. In particular GBC's Green Belt and Countryside Study (2013/5) (GBCS). This is an evidential document prepared for GBC by external consultants and its conclusions have not been tested. For the reasons set out below in respect of the first issue I do not consider that it can carry much weight.

20.27 No weight can be given to the emerging Lovelace NP. The appeal site lies fairly centrally within its boundary. While GBC designated the Lovelace Neighbourhood Area over 2 years ago, no documents have yet been published.

Main issues [1.5, 1.6, 7.17, 10.1]

20.28 As set out above GBC did not defend all its reasons for refusal. It only defended reasons for refusal 1 (Green Belt) and 8 (character of the area). At the Inquiry these reasons, together with all the other the reasons for refusal, (except for 6 (effect on district and local centres)) were defended either by GBC or by other Rule 6(6) parties. A draft list of main issues, based upon the reasons for refusal, was produced and circulated to the main parties, including the Rule 6(6) parties, before the PIM. At the PIM all parties agreed the list.

20.29 The main issues are set out in Annex 3 to this Report and each is now considered in turn.

The effect of the proposals on the openness of the Green Belt and on the purposes of including land in the Green Belt [7.30-7.38, 8.1-8.9, 9.7-9.9, 10.7-10.13, 12.1, 13.1, 16.1, 17.8, 17.12, 17.14, 17.15, 17.17, 17.20, 17.21, 17.33]

20.30 It is agreed that the proposals constitute inappropriate development in the Green Belt as described in Chapter 9 of the Framework. Paragraph 87 advises that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in VSC. Paragraph 88 advises that substantial weight is to be given to any harm to the Green Belt so the harm arising from its inappropriateness attracts substantial weight. It adds that VSC will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

20.31 Paragraph 80 of the Framework advises that the Green Belt serves five purposes, namely

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

20.32 There is agreement between the parties that the proposals would result in conflict with the third bullet point and that the resultant harm weighs against

the proposals. Concerning the first bullet point it was argued that the Metropolitan Green Belt is designed to prevent the outward spread of Greater London and, as such, the appeal site performs this function. I consider that this is a disproportionate interpretation of this purpose as any development anywhere in this Green Belt would fall foul of it. This cannot reasonably be its intention. The site sits amidst the various hamlets that together comprise Ockham and there would be no conflict with this purpose.

- 20.33 The same consideration applies to the second bullet point as the site has no "neighbouring towns" and any parcel of land in the Green Belt is likely to be located somewhere between towns. Again this is too wide an interpretation of the purpose and, if accepted, would be a disproportionate approach.
- 20.34 There is only conflict with the fourth bullet point if Ockham, with its listed buildings and Conservation Area, can be described as a "historic town". It is plainly not a town; it is a hamlet or, at best, a collection of hamlets. The GBCS took a precautionary approach and used Conservation Areas associated with towns and villages to assess whether this purpose was activated. The GBCS concluded that there is sufficient land within the site to provide a layout that would ensure that this purpose is satisfied.
- 20.35 I agree that even if Ockham Conservation Area is taken into account and described as a historic town, there is scope within the appeal site to ensure that this purpose would not be offended. This is demonstrated by the indicative masterplan. The allocation in eLP Policy A35 could bring the development much closer to the Conservation Area than currently proposed and so may impact on this purpose but that involves additional land outside the current appeal site.
- 20.36 Concerning the final bullet point, the proposals would plainly not assist in the regeneration of urban land due to the rural location. The GBCS recognises that the development of land such as the appeal site is only being considered as there is not sufficient suitable urban land within the Borough. Nonetheless, this final purpose is offended, although this conflict would arise in connection with any large non-urban site in a Borough where 89% lies within the Green Belt.
- 20.37 Paragraph 79 of the Framework advises that the essential characteristics of Green Belts are their openness and their permanence. The development would undoubtedly reduce the openness of this part of the Green Belt. Planning permission was granted in 2006 for an IVC on a small part of the site but this would only have had a very limited impact on openness compared to the development now proposed. The Inspector who considered that scheme in 2010 concluded that the runways did not compromise openness; I agree. The proposals would be in direct conflict with this essential characteristic and this adds to the quantum of harm that weighs against the proposals.
- 20.38 Overall the harm to the Green Belt arising from inappropriateness (definitional harm); conflict with two of its purposes; and harm to openness and permanence would be very considerable. This would be in conflict with Chapter 9 of the Framework and with Policy RE2 of the GBLP. In accordance with advice in the Framework this carries substantial weight against the development.

Whether the Council can demonstrate a five-year housing land supply and the implications for this on local and national planning policy [6.2, 7.39, 17.10]

20.39 GBC cannot demonstrate a five-year housing land supply. The SoCG says that the current supply is in the order of 2.36 years. This is based on the SHMA³⁴ which identifies an annual requirement of 654 dpa for the period 2015-2034. It is also accepted by GBC that it has a record of persistent under delivery and that a 20% buffer is appropriate. The eLP, while at an advanced stage, still has to undergo the rigors of an EIP and there is no certainty that other allocated sites will come forward or that the shortfall will be made up in the near future. These proposals should enable the appeal site to start contributing to the supply in the Borough in year 5, although its main contribution would be in years 6-10 and 11-15. The current supply of housing land represents a significant shortfall against the annual requirement set out in the SHMA and the proposals carry significant weight in favour of the scheme.

20.40 In terms of local planning policy, it is acknowledged that the GBLP is out of date, having an end date of 2006 and an evidence base dating back to the late 1990s. While some policies have been saved, and so still form part of the development plan and carry appropriate weight, none of the policies relating to housing land supply have been saved. The weight to be given to the relevant saved policies is set out above.

20.41 Concerning national planning policy, the absence of a five-year housing land supply and the lack of any saved policies concerning housing land supply means that on this matter the development plan is absent, silent and out-of-date. This could trigger the tilted balance as set out in paragraph 14 of the Framework. However the final bullet point of that paragraph identifies that there are exceptions. Footnote 9 identifies that land designated as Green Belt is such an exception; the Framework indicates that in such areas development should be restricted. The tilted balance is not triggered and the relevant policies are those set out in paragraphs 87 and 88 of the Framework.

The effect of the proposals on the TBHSPA [7.40, 7.42, 13.3-13.4, 15.1-15.22, 16.10, 17.8, 17.22, 17.31, 17.32]

20.42 The impact on air quality in the TBHSPA is considered later in this Report.

20.43 I have given considerable weight to the fact that GBC, having sought and accepted the advice of NE³⁵ and having taken account of the s106 Agreement, has not pursued this reason for refusal. Subject to the proposed mitigation GBC is satisfied that there would be no LSE on the TBHSPA. GBC is satisfied that the s106 Agreement secures the necessary mitigation. This is consistent with the advice from GBC's consultants, AECOM, in April 2017³⁶.

20.44 The proposals include the provision of a bespoke Impact Avoidance and Mitigation Strategy (IAMS) which has been designed to avoid a likely significant effect on the TBHSPA. The various measures in the IAMS include the provision of SANGs exceeding the 8ha/ 1000 population standard as set out in SEP Policy NRM6. The SANGs would meet all the necessary quality criteria with almost

³⁴ West Surrey SHMA Guildford Addendum Report 2017: CD8.23

³⁵ Officers' report: CD6.1 paragraph 7.3

³⁶ HRA for Guildford Borough Submission Local Plan: Strategy and Sites: CD8.48 paragraph 11.4

50ha being sited mostly to the north of the proposed settlement, abutting the SPA. A second area of SANG would be sited in the south west corner of the site. The Appellant would also make a contribution to the SAMM and a contribution to a SAMM-Plus to provide dedicated site-specific heathland access management with 1.5 (FTE) wardens. The SANG management and the SAMM-Plus measures would be provided in perpetuity and funded through the WACT.

- 20.45 The principal concerns about the impact on the TBHSPA have been raised by the RSPB. To some extent I share their concerns about the desirability of using the SANG in preference to paths within the SPA for the future residents of the development. There are existing PROWs that lead from the site into the SPA and there is a realistic danger that residents, and particularly those with dogs, may prefer to use the less managed environment of the SPA over the SANGs. This would apply particularly to the southern SANG whose boardwalks would not be so conducive to dog walking.
- 20.46 The paths into the SPA would need careful management to ensure that they did not become the routes of choice for residents. The attraction of the circular walk would be reduced where it would run quite close to the houses along the northern boundary of the settlement. These would, according to the Appellant's architect, be 4-storey properties, and the proximity of the houses to the paths would give the paths a less-than-rural feel.
- 20.47 Photomontages 02 and 03 in Mr Davies' Appendix 3³⁷ are taken from viewpoints on the southern leg of this circular walk. Viewpoint 02 in particular shows how close the path would be to the housing. The path would be due south of the houses which could result in limited sunshine even during the summer. While the proposed wardens would be able to discourage residents from walking in the SPA, or at the very least prevent dog owners from letting their pets run free, they would not be on hand at all times and the public footpaths would run directly from the SANG into the SPA. New residents would be likely to soon discover the routes notwithstanding the intended measures to dissuade them from using these paths.
- 20.48 I have taken account of the criticisms of the IAMS, and in particular the discounting that the RSPB consider should be applied due to the existing PROWs. The key point is that while large parts of the site are used for recreation, there is no lawful public access to any of this land apart from the PROWs which cross it. While users of the PROWs undoubtedly benefit from the open views across the undeveloped site, these views are at the discretion of the landowner who could close them off at any time. The sweetcorn being grown at the time of my first site visit showed how crops can significantly reduce the recreational value of the land. The evidence of the Appellant's witness on this matter was not seriously challenged at the Inquiry and I am satisfied that the SANG provision would exceed the requirements of SEP Policy NRM6.
- 20.49 Overall I conclude on this issue that the proposals would provide a suitable quantity of SANG and that, with careful management as envisaged in the WACT, it should be of suitable quality. Subject to the proposed conditions and the s106 Agreement, including the provision of wardens in perpetuity, the development would not have an unacceptable LSE on the TBHSPA.

³⁷ Document WPI/2/2: Appendix 3 Tabs 2 & 3

The effect of the proposed development on the safe and efficient operation of the strategic and local road networks [7.42-7.65, 8.15-8.18, 9.4-9.5, 9.12-9.17, 10.21, 10.31-10.34, 11.5-11.6, 12.4-12.5, 13.5-13.6, 14.1-14.5, 16.1, 16.3-16.5, 16.6, 16.8-16.9, 16.15, 16.20, 16.21, 16.23, 16.24, 16.25, 16.30, 16.32, 16.33, 16.34, 16.39, 17.2, 17.2, 17.4, 17.5-17.8, 17.12, 17.18]

20.50 The third bullet point of paragraph 32 of the Framework says that development should only be prevented or refused on transport grounds where the residual cumulative impacts of it are severe. The off-site road proposals were changed by the Appellant during the course of the application and their final position was only first set out in their proofs of evidence. A summary of the Appellant's position at the start of the Inquiry in respect of the SRN and LRN is appended to the Appellant's opening speech (ID5). Some proposals, and in particular those relating to works at the Ockham Interchange and at M25 (J10), are based upon the assumption that the RIS has not already been implemented.

20.51 The proposals would impact upon both the SRN and the LRN and these are considered in turn.

The Strategic road network (SRN)

20.52 There are three elements that specifically impact upon the SRN: the provision of north-facing slip roads to the A3 at Burnt Common; works at M25 (J10) and associated slip roads; and works to Ockham Interchange and associated slip roads (where the SRN and LRN meet). The first of these, the Burnt Common slip roads, does not overlap with the RIS and is the only contentious part of the off-site road proposals with the other elements being generally acceptable.

20.53 The position of GBC is quite clear and it did not advance any evidence in respect of its third reason for refusal. In closing its advocate stated that GBC and SCC regard these slip roads as being "critical to the delivery of growth within the Borough and without them there is no realistic prospect of it being able to meet its identified needs"³⁸. Concerning these slip roads, eLP Policy A35 says that their provision is a requirement for the development of the former Wisley Airfield; eLP Policy 43a is specifically for their provision and eLP Appendix C Infrastructure Schedule lists them as SRN9 and SRN10³⁹. As stated above, however, the eLP carries limited weight in accordance with advice in paragraph 216 of the Framework.

20.54 The Appellant says that the scheme will either deliver or fund these slip roads which would provide two principal benefits. They would enable vehicles to enter and leave the A3 without having to use the Ockham Interchange which would increase its capacity and enable it to accommodate the proposed development. Second, they would reduce through traffic in Ripley, and on other local roads, allowing the planned growth in the Borough in accordance with the eLP.

20.55 These slip roads, however, have not been agreed by HE as Highway Authority for the SRN. During the Inquiry HE and the Appellant submitted a SoCG⁴⁰ which, at paragraphs 10-12, sets out the matters which were not yet agreed between these parties. The Appellant has subsequently submitted evidence to

³⁸ Closing submissions on behalf of GBC: ID120 - paragraph 32 p12

³⁹ Guildford Borough Proposed Submission Local Plan June 2017: CD8.24 p312

⁴⁰ First statement of common ground between WAPI and HE: ID31 28 September 2017

justify the mitigation package but the other matters remain unresolved. In particular, it is not agreed by HE that the north facing slip roads can be provided safely and with a demonstrable benefit to the economy.

- 20.56 The other principal unresolved issue concerns the delivery of these slip roads. The ability of the Appellant to deliver the full mitigation package remains unresolved although GBC indicated that it would be prepared to use CPO powers if necessary. Nonetheless, at the close of the Inquiry it was uncertain that the mitigation package could be delivered. Nor is it agreed with HE what departures from DMRB are required by the proposals.
- 20.57 The Appellant acknowledges HE's objection and is attempting to overcome it by the submission of further evidence but the necessary evidence had not been produced by the close of the Inquiry and so HE's objection stands. In the light of the above unresolved matters, HE considers that the impact of the development on the northbound A3 between Ockham Interchange and the M25 (J10) would be severe. This position was not challenged at the Inquiry and the development would have to be resisted on the grounds that it would be harmful to highway safety and be in conflict with the Framework.
- 20.58 HE also strongly objects to the terms of the s106 Agreement which inserts a trigger for the provision of the delivery of the M25 (J10) improvements and the north facing slip roads at Burnt Common (or alternative financial contribution). That trigger is the occupation of 1,000 dwellings. Not only would that permit very significant unmitigated impacts on a part of the SRN that suffers from considerable stress, but the effectiveness of the trigger has not been demonstrated. A further, but equally important, issue concerning this trigger is that it would raise the possibility of only part of the development being completed. Such an outcome would severely impact upon the sustainability credentials of the settlement which, in part, depend on its scale making it able to support the proposed facilities.
- 20.59 I conclude on this issue that the proposed development would have a severe impact on the northbound section of the SRN between Ockham Interchange and the M25 (J10). This would be harmful to highway safety and contrary to advice in the Framework. While HE does not object to the principle of the provision of the slip roads, the current position is that an objection is being maintained for the reasons set out above. It has not been shown that it would be appropriate to allow almost half of the proposed development to be completed and occupied without the certainty that the proposed highway impacts would be mitigated. It has not been shown that a lesser amount of development would be sustainable. Overall, this objection carries substantial weight against the development.

The Local road network (LRN)

- 20.60 There has been considerable confusion about the Appellant's exact intentions in respect of the LRN as these changed during the course of GBC's consideration of the application. Many of the letters of objection from nearby residents refer to road closures that no longer form part of the proposals. Outside the SRN proposals, the main elements of the off-site road works comprise a new mini-roundabout at the Forest Road/ Howard Road/ Horsley Road junction (close to Effingham Junction station); alterations at the Send roundabout; and minor changes to facilitate the site accesses from Old Lane.

- 20.61 The proposed mini-roundabout near Effingham Junction would be beneficial and reduce queuing times at what is an awkward staggered junction. The proposals seem to be recognition that there would be an increase in car traffic along Old Lane from the site to the closest stations. That seems logical, especially as the loop bus services would not be so helpful to those living at the eastern end of the site, which is also closest to Effingham Junction.
- 20.62 The alterations to the roundabout at Send are relatively minor and are mainly intended to reduce traffic speeds onto it for traffic coming from the south west. This would have highway safety benefits, including increased safety for cyclists. Both these schemes have been accepted by SCC as Highway Authority.
- 20.63 The amended access to Old Lane was confirmed as being acceptable as a minor amendment to the submitted scheme at the PIM. It changes the priorities at the junction so that the existing northern arm becomes the minor arm. The intention is to reduce traffic speeds on Old Lane; it is acceptable to SCC. The section of Ockham Lane from Old Lane to the new NMU access to the site would be resurfaced in a different material to emphasise the change in character of this part of the road and improve the accessibility of Footpath 27 and the Black Swan PH.
- 20.64 At the northern end of Old Lane there would be a traffic restriction to prevent traffic travelling south from the A3 to Ockham Lane and beyond; the restriction would occur at the Pond car park. This would decrease the volume of traffic entering Old Lane from the A3 and so make exiting onto the A3 easier and safer, increasing the capacity of this junction. Both SCC and HE are satisfied with the proposed arrangements.
- 20.65 The proposals do not now involve any changes in Ripley High Street. The infrastructure requirements for eLP Policy A35 seek interventions at its junctions with Newark Lane and Rose Lane. However, these interventions are not now proposed as the north facing slip roads at Burnt Common would reduce traffic through Ripley to the extent that the conditions in 2031, even with the appeal scheme, other committed developments and traffic growth would be only slightly worse than now and better than they would be without the slip roads.
- 20.66 Overall the off-site highway works are beneficial for highway safety and enable an increase in the capacity of roads and junctions. None of these works would be necessary but for the scheme and so this mitigation is a neutral factor.
- 20.67 At the Inquiry the Appellant's traffic modelling was challenged by various parties, although it is acceptable to SCC and HE, as Highway Authorities, and to GBC. I acknowledge that the various changes before and during the Inquiry made it difficult for parties to fully consider the scheme. The proposals are likely to increase traffic on rural lanes. Some of these, such as Guileshill Lane, are really not suitable for additional traffic due to its restricted width in places and limited forward visibility. However, it was not demonstrated that the capacity of any of the rural roads was an insurmountable obstacle to the development. The concerns related more to the change in their character that would inevitably arise due to the increased traffic.
- 20.68 The impact on the character of the area is considered elsewhere in this Report and to avoid double counting it is not revisited here. I have taken into account the highly detailed description of the current difficulties of walking on roads in

the area from Mrs Paton, a Rule 6 party. There are few facilities in walking distance of the site and the roads are not conducive to walking. The increase in traffic would inevitably have some impact on walking in the area but I am not convinced that this would be unacceptably harmful.

20.69 Of greater concern is the failure of the Appellant to make surrounding roads more conducive to cycling as sought by the infrastructure requirements of eLP Policy A35. The improved route to Byfleet would involve relatively little new works and can be achieved by this development provided ownership issues are resolved. The omission of the full off-site cycle network is considered in the following issue and so is not considered here to avoid double counting.

20.70 Overall, the proposals would not be likely to result in unacceptable harm to the LRN subject to the implementation of the off-site works which would be provided in accordance with the s106 Agreement.

Whether the proposals would deliver the required transport sustainability measures necessary to enable sustainable travel choices [7.66-7.73, 8.19, 9.18-9.20, 10.22-10.30, 12.6-12.8, 13.7-13.8, 16.1, 19.9, 16.32, 16.40, 17.8]

20.71 Paragraph 17 of the Framework sets out the core planning principles. The eleventh bullet point advises that planning should actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling and focus significant development in locations which are or can be made sustainable. The appeal site is not in a sustainable location. There is little public transport in the immediate vicinity and the narrow, winding lanes, without footways or lighting are not conducive to walking or cycling. In any case, there are few employment, leisure or retail opportunities close enough to the site to make walking a realistic option. The site is close to the SRN with the A3 immediately to the west and making travelling by car an enticing option.

20.72 As an acknowledgement of the poor location, in sustainability terms, the Appellant has sought to improve this by making significant interventions in respect of the provision of public transport and making contributions to encourage cycling in the area. These measures are included in the s106 Agreement and GBC is satisfied that the measures, and the certainty of their provision, overcome its fourth reason for refusal.

20.73 The site is in a relatively remote location in a part of the Borough poorly served by public transport and with few nearby facilities. The proposals include the provision of three new bus routes that would be retained in perpetuity providing access to Guildford, Cobham and to the Horsley and Effingham Junction railway stations. The buses would run down the central spine road linking the more distant parts of the new settlement with the new village centre with its shops, offices, schools and community facilities and with the employment area at the western end of the site.

20.74 These bus services, as long as they are provided in perpetuity, the fares are reasonable and the suggested schedules, which would be quite challenging, maintained would go some way to improving the public transport options. The loop service⁴¹ would be less attractive to residents at the eastern end of the site

⁴¹ Bus route 3 Option b - proof of evidence of Colin McKay: WPI/4/1 p79

who would have a considerable journey to get to Horsley Station and may be tempted to drive the rather shorter journey to Effingham Junction. Residents at the eastern end of the site would also have to change buses at the village centre in order to travel to Guildford, which may make it less attractive for commuting. Apart from these relatively minor concerns the identified services would provide suitable alternative to the car and help to overcome residents' concerns about the increased pressure on the station parking facilities.

20.75 Policy A35 of the eLP sets out various requirements for the development of this site allocation including a significant bus service to serve the locations identified above. The proposals meet this requirement. The proposals include a bus turnaround facility at East Horsley, in front of Station Parade. The EHPC do not support its provision due to the loss of parking and as it is not needed. As the buses serving this station would be on a loop route, its purpose is not obvious.

20.76 Policy A35 also requires an off-site cycle network to key destinations including the above mentioned railway stations, Ripley and Byfleet. The proposals do not make provision for a route to these stations as the roads are not of sufficient width. This rather demonstrates the fact that the roads are not conducive to cycling and while this mode would still be an option I consider that only experienced and confident cyclists would use them.

20.77 The route to Ripley has a number of challenges for cyclists, not least crossing the Ockham Interchange via a series of traffic lights which would enable cyclists to access and leave a dedicated route around the centre of the roundabout. I do not consider that this would be attractive and safe for the average cyclist as required by eLP Policy A35. The route to Byfleet is largely already in place and only relatively minor alterations are proposed. The ramps over the A3 and low bridge under the M25 do not make the route ideal but it would provide a sustainable alternative to the motor car. The financial contribution towards cycling in the area could provide benefits for existing and future residents but the absence of detail means that this carries little weight.

20.78 The long, linear shape of the site does not assist in the creation of a sustainable community. While the Appellant sought to make a virtue of its linear form, enabling as it does a chain of bus stops down the spine road, the fact that the new settlement needs buses so that some of its residents can reach its own village centre is indicative of its lack of sustainable credentials. While there would, in all probability, be pleasant walks through the site, there would still be a considerable distance (up to about 1,500m as the crow flies) between some new housing and the village centre, as demonstrated in Mr Bradley's evidence⁴².

20.79 The proposals would provide suitable bus routes as an alternative to the use of the motor car. The routes to the stations would be particularly beneficial as the car parks at the stations are close to capacity. The need to provide these subsidised routes, however, is an indication that this is not an inherently sustainable location.

20.80 The proposals would make only a limited contribution towards cycling in the area; significantly less than envisaged in the eLP. While this limited provision is

⁴² Keith Bradley Proof of Evidence: WPI/1/1 p48

primarily due to the nature of the roads, the failure of the scheme to meet even the minimum requirements of emerging eLP Policy A35 is a further demonstration of the unsustainable nature of the location. There would be few facilities in the area, outside the site, that would encourage walking, and there is a general lack of footways and street lighting in the area.

20.81 Overall the proposals go a long way towards making the location more sustainable, as sought in paragraph 17 of the Framework. However, it remains the case that the proposals would not be in full accord with emerging Policy A35 of the eLP as it would fail to provide the required cycling improvements. While that policy carries limited weight at this stage, it is nonetheless the document that GBC intends to submit for Examination and so the failure to comply with it weighs against the proposals. It is also notable that SCC, as education authority, is not satisfied that this is a suitable location for an all-through school that would serve the wider community. This all weighs against the proposals.

Whether the proposals would deliver an appropriate quantity and mix of affordable housing [7.74, 8.20, 13.9]

20.82 Up to 800 homes, some 40% of the proposed dwellings, would comprise affordable housing. That fully complies with eLP Policy H2. The provision, mix and timing of delivery relative to the market housing are set out in the s106 Agreement. GBC is satisfied that this fully meets its requirements and so did not pursue this issue at the Inquiry.

20.83 The provision of 800 homes, comprising a mix of sizes and tenures as set out in Appendix 1 of the s106 Agreement, is particularly important in a Borough where there is such a significant shortfall in housing provision. GBC has a poor record of provision with only 485 affordable homes built over the past 8 years against a backdrop of 517 households per year needing support to meet housing needs. The provision would represent over 19% of the projected affordable housing provision in the Borough to 2034. This is a major contribution which carries very significant weight in favour of the scheme.

Whether the loss of a safeguarded waste site is outweighed by other considerations [4.1-4.2, 7.75, 8.21, 9.22, 13.10]

20.84 Planning permission was granted on appeal⁴³ in 2010 for an IVC with a new pedestrian/ vehicular access from the A3 Ockham Interchange in the north western part of the site, an area of about 17ha. A minor variation to the scheme was approved in August 2012. The planning permission was subject to a condition requiring commencement by 8 March 2013 and in 2013 SCC confirmed in writing that a start had been made. The permission therefore remains extant and this is a material consideration.

20.85 GBC did not defend its seventh reason for refusal at the Inquiry. SCC, in its role as the Waste Planning Authority, initially objected to the planning application. Since then, in May 2017⁴⁴, SCC indicated that it is not proposing to include Wisley in the new Waste Plan as it is not deliverable without the support

⁴³ APP/B3600/A/09/2098568 dated 8 March 2010: CD4.10

⁴⁴ Email from SCC to Appellant 25 May 2017: WPI/7/2 Appendix 10

of the landowner. As set out in the SoCG, the IVC is no longer the favoured technology in the SWP and the site is not currently available.

20.86 While it remains safeguarded for such use in the 2008 SWP by reason of Policy WD2 which allocates the site and Policy DC1 which safeguards it, the Appellant and GBC accept that it will not be allocated in the next iteration of the plan. As things stand, however, the proposals are in conflict with the SWP. This conflict with the SWP carries very little weight as the land is not available for this use; it is not likely to be allocated for this use in the next Waste Plan; and the IVC technology is no longer the preferred option.

The effect of the proposed development on the character and the appearance of the area [7.76-7.86, 8.22-8.27, 9.23, 10.14-10.20, 11.7-11.8, 12.9, 13.11-13.12, 16.2, 16.14, 16.18-16.21, 16.24, 16.26, 16.27, 16.31, 16.32, 16.37, 16.40, 17.6, 17.21, 17.34]

20.87 The site is located in the countryside and so it is inevitable that there would be some landscape and visual harm. This is accepted by the Appellant. Both the character and the appearance of the site would change significantly; the character of the wider area would also be affected. The allocation of the site by GBC in the eLP for a new settlement is due to the need for GBC to provide sites for more housing and, given the severe constraints within the Borough, GBC accepts that some harm is inevitable, regardless of where in the Borough the housing is provided.

20.88 In terms of the character of the area, the site lies within the *Ockham and Clandon Wooded Rolling Claylands*. The GBLCA describes this as a gently shelving area founded on London Clay and rising from 30m AOD in the north to 90m AOD in the south at the base of the chalk downs. Many of the key positive landscape attributes as set out in the GBLCA are to be found on and around the appeal site, including woodlands, networks of hedgerows and hedgerow trees, historic farmsteads, historic villages, rural lanes and views to the open slopes and wooded crest of the chalk downs to the south. It identifies the development of the A3 and the creation of Wisley Airfield from farmland as past forces for change.

20.89 The historic farmsteads on the site have all been demolished and the only one of the identified key attributes to be seriously affected is the loss of views towards the chalk downs to the south. The proposals would also be likely to increase traffic on rural lanes which, while not a road capacity issue, would nonetheless harmfully impact on their character.

20.90 The character of the area immediately around the site is predominantly rural with small fields comprising a mix of arable and pasture interspersed with areas of woodland. There are a few small settlements around it, the hamlets collectively comprising the parish of Ockham. In addition there is a scattering of isolated farms and dwellings, many of considerable age, which contribute positively towards a pleasant rural landscape. There are a number of rural lanes and tracks as well as numerous PROWs, several of which cross the site.

20.91 There is no getting away from the fact that the development would result in a very substantial change in the character of the area. The proposed settlement would have a tight-knit, strongly linear, form that would be wholly at odds with the loose, informal nature of the nearby settlements which have grown organically over very many years. The density and layout reflects the fact that

it would be imposed on the landscape whereas existing nearby settlements have grown slowly within the landscape and remain subservient to it. The bulk and height of the new buildings, at up to 5 storeys, would appear wholly out of place in an area where most dwellings are two-storey.

- 20.92 The site has three main constraints which need to be addressed as they affect the form and impact of the proposed development. In the first instance, the site is located on a long ridge which runs west/ east, in tandem with the runway, with the highest point at the eastern end, close to Yarne. This means that any development on the site would inevitably stand out in the surrounding landscape making it prominent and potentially dominating.
- 20.93 The second constraint is the TBHSPA which lies to the north. There is no housing permitted within 400m of it and this influences the size and shape of the developable part of the appeal site, making it excessively linear in form. The land to the north would be used to provide a SANG which, together with the land ownership constraints, which make up the third constraint, reduces the width of any development. This resultant roughly rectangular shape differs slightly from the shape of the site allocation in the eLP which includes more land to the south around Bridge End Farm. The inclusion of that additional land, with the same amount of development as set out in eLP Policy A35, would allow a less dense and linear development, as envisaged in the eLP.
- 20.94 These constraints, and in particular the TBHSPA, means that in order to provide all the proposed housing and other elements of the new settlement it appears to be squeezed from the north and the south, forcing the development upwards and resulting in a highly urban character. This is partly a consequence of the site being considerably smaller than the site that GBC intends to allocate in eLP Policy A35. While any development of this scale on this site would appear out of keeping with its surroundings, the additional constraint imposed by a smaller site seems to exacerbate the harm to the character of the area.
- 20.95 I have taken into account the proposed landscaping, which would be significant and substantial, including the provision of new hedgerows, woodland and the green gaps between the four distinct phases. Nonetheless, the overall impact would result in substantial harm to the character of the immediate area. Being sited at the very heart of Ockham parish it would, in effect, link all the surrounding hamlets. It would erode the historic pattern of development in the area to the detriment of the character of these settlements. It would fail to reflect or respect its immediate setting and I agree with the nearby residents that this impact would be catastrophic on their rural way of life.
- 20.96 The impact of the proposed development on the appearance of the area would be rather less severe than on its character as much of the site is quite well screened from off-site public viewpoints. Within the site the existing runway is a stark concrete feature that fails to make a positive contribution to the appearance of the area, although it contributes to the sense of openness and allows views towards the chalk hills to the south. There would be a harmful impact on the PROWs within the site. The experience would change from travelling through an open and largely agricultural landscape to an urban walk with tall buildings, roads, vehicles, lighting and general urban sounds. At present it is a largely open landscape, with long views and the opportunity for birdwatching which seems a popular activity here.

- 20.97 In terms of off-site views of the development, these would mostly be fairly long distance as the site is quite well screened by existing trees and, from nearby, by the ridge. The development would be visible from as far afield as the AONB from where the full length of the settlement would be visible; its narrow width would not be noticeable, probably making it appear rather larger in scale than its actual size. It would appear as a linear, urban feature, although careful use of materials would help soften its visual impact. The impact would be exacerbated by its ridge location with 3- to 5-storey buildings along the central spine road with the result that the full 2.4km length of the development would be visible to highly sensitive receptors using PROWs in the AONB.
- 20.98 The tops of buildings would be likely to be visible from a number of more local viewpoints including from within the Ockham Conservation Area, from where it would appear as a large settlement on the skyline. The area where it would be most visible from outside the site would be from Ockham Lane/ Old Lane to the east and south east. Not only is this the highest part of the site, but it is also the closest to roads and has the weakest vegetation. The rural lanes with their hedgerows contribute positively to the character of the area.
- 20.99 The proposed development would be visible from these rural lanes and it would have a negative effect on both the character of the lanes and the appearance of the area. By bringing the development so close to these lanes, as shown on the indicative masterplan, the scale and density of the housing would be visible and noticeably out of keeping with the established form of development in the area. There would be substantial harm to the appearance of the area.
- 20.100 There is no doubt that some of the harmful impacts on the appearance of the area can be partially mitigated, in time, by extensive landscaping. This provision is an integral part of the proposed scheme. This would not disguise the basic fact that a new settlement in a rural area would, inevitably, cause substantial harm to both its character and its appearance. It would be contrary to Policies G1 and G5 of the GBLP. This harm would be irreversible and carries significant weight against the development in the overall planning balance.

The effect of the proposals on the setting of Yarne, a Grade II listed building, and other nearby heritage assets [7.87-7.96, 8.28, 9.24-9.26, 12.10-12.11, 13.13-13.21, 16.3, 16.36, 17.8]

- 20.101 The ninth reason for refusal makes reference to the scale and quantum of development in proximity to Yarne, a Grade II listed building, and the likelihood of this having an adverse effect on its setting and significance. The revised parameter plans, submitted before and during the Inquiry⁴⁵, are acceptable to GBC and the SoCG between the Appellant and GBC says that there would be no harm to heritage assets, including Yarne. In closing GBC confirmed that the revised parameter plans, together with the suggested conditions, would mean that there would be no harm to the setting of Yarne. GBC did not allege any harm to any other heritage assets.
- 20.102 The Appellant's initial position was that there would be no harm to the setting of Yarne or, as set out in the SoCG, to any other heritage assets. In its

⁴⁵ Submitted as ID78 and subsequently formalised (Drawing Nos 1715/SK/709 & 710 Rev B): ID110

evidence, however, the Appellant accepted that there would be some less than substantial harm to 6 heritage assets. These are: Chatley Semaphore Tower (Grade II* listed building); RHS Wisley (Grade II* Registered Park and Garden); Yarne, Upton Farmhouse and Appstree Farmhouse (all Grade II listed buildings); and Ockham Conservation Area. These are each considered in turn.

20.103 Other heritage assets assessed by the Appellant included Bridge End House, the Hautboy Hotel, Ockham War Memorial, Ashlea Church End/ Church Gate Cottage, Chimneys, Church of All Saints, Ockham Park House and the walls and gates to Ockham Park. I have considered each of these assessments and agree with the Appellant and the majority of the main parties that there would be no harm to any of these assets or their settings. While there may be some visibility between potential buildings on the appeal site and some of these properties, most notably with the Hautboy Hotel, due to the distance and the nature of their settings this would not result in any harm to them or their settings. In respect of these assets there would be no conflict with GBLP Policies HE4 and HE10 or with Chapter 12 of the Framework.

20.104 **Chatley Semaphore Tower** is grade II* listed and is sometimes open to the public with a viewing platform on the roof giving extensive views in all directions. The buildings on the appeal site would undoubtedly impact in views from the top of the Tower, as demonstrated in the evidence of the Appellant's landscape witness⁴⁶. The photomontages show that the development would appear as a line of buildings in the middle ground, some 850m or so to the south west. A softer colour from that shown on the photomontages for the facing materials would lessen the visual impact. *[The colour used for the photomontages is deliberate to make the buildings stand out].*

20.105 The Tower is surrounded by heath land and trees and due to the separation distance the proposed development would have no impact on its setting. Only from the top of the Tower would it be even visible in the distance. HistE has raised no objections; SWT, as owner, has not objected. There is some historical significance in the views from the top of the Tower as these are connected to its original function. The next Semaphore Tower in the chain of such towers, when looking south west, was in Guildford.

20.106 Due to the lie of the land and the height of the Tower, Guildford would still be in view over the top of the new development as demonstrated in the photomontages. While the view in that direction would be changed, the impact on the historical significance of the Tower would be minimal. The level of harm would be less than substantial. While paragraph 134 of the Framework does not make allowance for the degree of harm when assessing the less than substantial impact, the weight to be attached to it would be limited.

20.107 **RHS Wisley** lies a short distance to the north west, on the opposite side of the A3. It is a Grade II* Registered Park and Garden that is open to the public every day and attracts large numbers of visitors. Planning permission has recently been granted for quite major developments and landscaping that is likely to increase visitor numbers. HistE do not object; RHS Wisley raised no objections on heritage grounds; and GBC does not consider that there would be any material impact.

⁴⁶ WPI/2/2 Appendix 3 Photomontages 05

- 20.108 Based upon the photomontages⁴⁷ and my visit to the Garden, the roofs of some of the buildings would be visible over and through the trees when looking south. The views would be clearest from the top of Battleston Hill, within the Garden when looking over the trials fields and from the fruit mound. In the former view the buildings would be mostly hidden by existing mature trees but would nonetheless introduce a distinctly urban feature amongst the trees. In the latter view there is less screening and the tops of the buildings would slightly interrupt views towards the Surrey Hills AONB to the south.
- 20.109 Views south from the Garden would be harmed by the development as there would be the tops of buildings within what is currently a rural or landscaped outlook. While the Garden, and this southern end of the Garden in particular, is subject to significant levels of road traffic noise from the A3 which impacts on its character, there would be harm to the views. The buildings would not be so distant that they would disappear in the background; the top of Battleston Hill is less than 300m from the site and about 400m from 2-4 storey buildings. There would be a small amount of less than substantial harm to the setting of the Garden.
- 20.110 A detached dwelling **Yarne**, is located just outside the appeal site in the south east corner. The curtilage of Yarne abuts the appeal site to the west and north, with the house being sited towards the Ockham Lane frontage and close to the eastern boundary of the plot. The house is not particularly visible from public vantage points as there is a thick hedge along the road frontage which only allows brief glimpses of the house through the vehicular access when travelling towards Martyr's Green. The western flank elevation can be seen, at some distance, from a public footpath within the appeal site although this is partly screened by a hedge and, at the time of my first visit, by tall crops in the intervening field.
- 20.111 Yarne is the only heritage asset mentioned in the relevant reason for refusal and, as set out above, GBC did not pursue this reason for refusal at the Inquiry. GBC considers that the proposed restrictions on the design parameters together with suggested conditions 15 and 16, would mean that there would be no harm to its setting. This opinion is not shared by the Appellant, who considers that even with these added restrictions on new buildings there would still be some less than substantial harm to its setting.
- 20.112 Yarne is a dwelling dating from the late C15 that probably originated as a farmhouse. The listing description makes it clear that the building derives its primary significance from its physical fabric; it has a timber framed core. The house has been substantially extended and it seems that none of this historic fabric is publicly visible from the outside. The various changes to the building, which are substantial, doubtless contribute to significance of the dwelling as being reflective of changes in ownership, taste and function. In themselves, however, these changes are not of sufficient architectural merit as to justify it being listed were it not for the historic core. Its immediate setting comprises its garden; its wider setting includes the western end of the former airfield and, further afield, the parish of Ockham with which it has historical links.

⁴⁷ WPI/2/2 Appendix 2 Photomontages 01 & 02

- 20.113 The owners/ occupiers of the property, who gave evidence at the Inquiry, consider that the proposals would result in substantial harm to the property; the Framework says that substantial harm to or loss of a Grade II listed building should be exceptional. In this case, however, the harm would not be substantial; it would fall within the definition of less than substantial and so the harm would need to be weighed against the public benefits of the proposal in accordance with paragraph 134 of the Framework. That is not to say, of course, that this means that there is necessarily a less than substantial objection to the development.
- 20.114 There would be no impact on the fabric of Yarne; the only harm would be to its setting. It would be confined to the erection of houses and the construction of roads, footways, street lighting etc in proximity to its curtilage. The nearest houses, in accordance with Drawing No 1715/SK/709, would be sited about 40m from the house and about 9/10m from its curtilage. This is rather closer than the distance shown in Mr Davies' appendices and so it is recommended that suggested condition 16(b), which requires a separation distance of 20m between the curtilage of Yarne and any new dwellings, be imposed on any permission. This condition is agreed by the Appellant.
- 20.115 Nonetheless, despite this increased separation distance, and in accordance with the indicative masterplan, there would still be houses along two boundaries of Yarne, albeit separated by a landscaped strip and access arrangements. This would represent a very significant change to the appearance of this land which would impact on the setting of Yarne.
- 20.116 I am not convinced by the argument that the whole of Ockham, including Ockham Park Estate, falls within the setting of Yarne, notwithstanding any historic associations. Such a wide definition of setting would not be proportionate to the relationship between Yarne, which is set apart from Ockham, and other buildings. The relationship, even with the Estate, is too distant to be reasonable. In any case, even if the substantially wider setting is considered to be reasonable, the proposals would not necessarily result in an unacceptable level of harm to that setting. The physical and historic relationships between Yarne and the wider setting would not change. While the lines of sight would necessarily be significantly curtailed, any heritage value would lie in proximity rather than in any visual relationship.
- 20.117 No evidence was put forward that would justify extending the Ockham Conservation Area to include Yarne. The house is simply too distant.
- 20.118 Due to the proximity of the proposed development on two sides of Yarne, divorcing the house from its predominantly rural hinterland, I conclude that there would be some harm to its setting and its significance as a former farmhouse. This harm would be less than substantial and needs to be weighed against the public benefits of the proposals. The level of harm must be tempered by the finding that the historic significance of Yarne lies mainly in its fabric rather than its setting. The impact of the proposed development on the living conditions of the occupiers of Yarne is considered separately below.
- 20.119 **Upton Farmhouse** is a substantial C15 dwelling situated on the southern side of Ockham Lane, opposite the site. It is a late medieval farmhouse whose heritage significance relates primarily to its historic fabric. It lies in substantial grounds that slope downhill from Ockham Lane. The house is

at the end of a long drive and so is some considerable distance to the south of the road. Its main garden is around the house although the curtilage has quite a long frontage to Ockham Lane, there are hedges either side of the road that limit views into the appeal site. The upper parts of some houses, as shown on the indicative masterplan, would be visible from the northern parts of the garden but due to the distance, hedges and other planting and the lie of the land it would not be visually dominant or particularly intrusive from the house. There may be a small degree of less than substantial harm to the setting of this listed building.

20.120 **Appstree Farmhouse** is a C16 building in residential use whose significance lies in its being a fine example of a late medieval rural dwelling. It is clearly visible from Ockham Lane and it makes a positive contribution to the character and the appearance of the Conservation Area. It is located some distance to the south of the appeal site which sits on the crest of the ridge. With the proposed housing due to be set back from the southern boundary on the site, behind the ridge line, it is unlikely that it would even be visible from the ground floor of this property.

20.121 There would probably be some limited views of the new housing that would be almost due west of this property. However, due to a combination of the intervening planting and the distance (almost 800m), such views would be very limited. Details of the new buildings would be a reserved matter but this housing would not be likely to have any adverse impact on the setting of Appstree Farmhouse.

20.122 There is no published Character Appraisal for the **Ockham Conservation Area**. It is more or less butterfly shaped, with the bulk of the dwellings within the hamlet encompassed by the eastern "wing". This part of the Conservation Area exhibits a coherent, enclosed, predominantly residential character, and comprises several listed buildings of high quality. The Grade I listed Church of All Saints dominates the western "wing" which is altogether more open and pastoral. Further west lies Ockham Park. The hamlet of Ockham appears to derive functionally from this landed estate.

20.123 There are few views from the Conservation Area into the appeal site due to the trees, hedges, buildings and the change in ground level; the appeal site is on the ridge at a higher level. The larger allocation site, the subject of eLP Policy A35, extends further south than the appeal site and abuts the far north-eastern tip of the Conservation Area.

20.124 While there would probably be glimpses of the new development from within the Conservation Area, the harm would be very limited. There are other buildings visible in the wider setting of the Conservation Area and the harm to its setting would be negligible. There would be some limited harm arising from additional vehicular traffic using the roads within the Conservation Area and this could give rise to some less than substantial harm.

Whether the proposals would give rise to an unacceptable air quality impact on local receptors (human and wildlife) [7.97-7.129, 8.29-8.30, 9.27-9.34, 11.9, 12.12, 13.22, 16.28, 17.8, 17.17]

20.125 GBC's tenth reason for refusal says that it has not been demonstrated that the development would not give rise to an unacceptable air quality impact

on local receptors, including future residents, and on protected ecological sites. It refers specifically to the impact of vehicle movements during the construction phase on early occupants and to acid deposition on TBHSPA and the SSSI. GBC did not defend this reason for refusal at the Inquiry. The SoCG (CD12.3) says that “based on the updated Air Quality Consolidated Response it has been demonstrated that the proposed development will have satisfactory air quality impacts”.

20.126 At the Inquiry GBC stated that the conclusions of the Appellant’s air quality modelling are consistent with those of the assessment undertaken by AECOM to support the eLP and that the development is expected to have a negligible effect on human health and no significant effect on sites designated for nature conservation. NE raised no objection on air quality grounds. Two Rule 6 parties presented evidence on this topic. The concerns raised do not include any harm to early occupiers during the construction phase. The matter of acid deposition also fell away during the Inquiry.

20.127 The outstanding concerns relate to (i) the impact on human receptors in Ripley; and (ii) ecological/ wildlife receptors, particularly within the TBHSPA.

Ripley – Human receptors

20.128 There is no AQMA in Ripley. The issue here relates to NO₂ with the relevant objective being 40 µg/m³ as an annual mean. RPC produced its own evidence⁴⁸ from monitoring data which, at table 2, shows some exceedances of the objective. This is in conflict with GBC’s own monitoring results which shows an annualised average of 32.8 µg/m³ in Ripley High Street and 27.5 µg/m³ in Newark Lane⁴⁹, both well within the air quality objectives for NO₂ (albeit that the monitoring was only over a 9 month period rather than a full year so the results have had to be annualised).

20.129 The monitoring undertaken for RPC was over an even shorter period, just 4 months. There are also issues with this data which were not satisfactorily explained and which diminishes its credibility. In the first place the data is not only for quite a short period but it also contains significant gaps⁵⁰. The relatively short period means that the data needs annualisation which exacerbates the problem of the missing data and there are concerns about the bias adjustment used. The author of RPC’s evidence states that while the average NO₂ concentration for the monitoring period exceeds the annual mean objective of 40 µg/m³ the result should be treated with caution as it only relates to a 4 month period and not the full year.

20.130 Of perhaps greater concern is the fact that the monitoring tubes were not all positioned at locations of relevant exposure, as defined by DEFRA. All the tubes, apart from one (tube 7), were located at kerbside where the greatest concentrations of NO₂ are most likely to be found. The other tubes were at least 2m from the closest building façade. Tube 7’s location was on a lamppost which appears to have been mis-identified as there is no lamppost in the stated location. The nearest lamppost is some distance away, outside the façade of an

⁴⁸ RPC/1/1 Appendix E

⁴⁹ WPI/6/2 Appendix A Table AQ.4

⁵⁰ WPI/6/4 paragraphs 2.4 to 2.6

estate agents' office, which is not a location of relevant exposure. The Appellant re-calculated the RPC evidence using DEFRA's "fall-off with distance calculator" which shows that all the concentrations are well below the objective of 40 µg/m³ at nearest facades, except for tube 7 which is not at a location of relevant exposure. This is in line with GBC's monitoring results and gives this finding added weight.

20.131 The other important factor on this issue is that the Appellant is now seeking to rely upon the provision of the Burnt Common slip roads. These slip roads, according to the traffic monitoring data, would reduce the volume of traffic in Ripley as northbound traffic heading towards the A3 would be able to join the A3 south of Ripley and southbound traffic would be able to leave the A3 south of Ripley. The witness for RPC accepted that if the traffic data was correct, this would reduce traffic in Ripley and be a benefit in air quality terms.

20.132 In any case, even using RPC's evidence and projecting it forward to 2021 using DEFRA's projection factors for roadside concentrations the results⁵¹ show that the annual mean concentration at all façade locations would be below 40 µg/m³. I conclude that there is no evidence to suggest that the proposals would harm air quality in Ripley; this is a neutral factor in the balance.

Ecological/ wildlife receptors

20.133 The outstanding matters in respect of this part of the issue relate to nitrous oxide (NO_x) concentrations and nitrogen deposition (ND) within the TBHSPA. Paragraph 120 of the Framework requires the effects, including cumulative effects, of pollution on the natural environment and the potential sensitivity of the area to such adverse effects to be taken into account. It is reasonable to conclude that the TBHSPA is highly sensitive. It is so designated due to its population of rare birds which, of themselves, are not directly sensitive to air pollution levels unless the levels are exceptionally high. There is the potential for the habitat of protected birds to be harmed by pollution but it must be borne in mind that it is the birds that are protected, not their habitat. If there is an in-combination impact on the habitat of the protected birds, however, that would impact upon the birds themselves.

20.134 The qualifying features of the TBHSPA are the European Nightjar; the Woodlark; and the Dartford Warbler, all of which breed within the SPA⁵². These are the Annex 1 birds.

20.135 It is agreed that the principal sources of pollution are road traffic on the A3 and M25, both of which adjoin the SPA. The precise boundary of the SPA was a matter of dispute at the Inquiry but this is not critical as it is the distance from the roads and the habitat affected rather than the amount of SPA that would be affected that is at issue. The development would add to traffic on the A3 and the M25; the point at issue is whether this additional traffic would have harmful impacts upon the SPA and the Annex 1 birds.

20.136 The starting point is the fact that if you add nitrogen to the SPA then it acts as a fertiliser and plant growth is encouraged; this outcome is long

⁵¹ WPI/6/5 Appendix C pages 10-11

⁵² European Site Conservation Objectives for TBHSPA: ID33

established and not disputed. The key habitat in the SPA for the qualifying features, the Annex 1 birds, is the open heathland. Increased growth of competing plants could compromise this habitat by forcing out less competitive species that are more characteristic of such grassland⁵³; it could reduce its value to the birds and fail to provide the necessary habitat for them to feed and breed.

20.137 I have some difficulty with the position of the expert witness representing WAG/ OPC which is derived from the agreed position that the critical level for NOx and the critical loads for ND are already being exceeded. The advocate for GBC described his approach as being "extreme" (ID120 paragraph 51) and did not consider his approach to be supportable; the Appellant described it as an "utterly extreme view" (ID125 paragraph 337). WAG's position was clarified under questioning and is quite straightforward. Its position is that any additional traffic, even a single additional vehicle, on the adjoining roads (A3 and M25) generated by any development would result in an adverse impact on the integrity of the SPA. This being the case, under European law planning permission must be refused.

20.138 WAG/ OPC's position is that any proposals for any development whatsoever that could generate even a single vehicle movement on these roads must be refused. That would mean, for example, that all the development currently proposed in the eLP would have to be refused, as would all nearby development in adjoining Boroughs. I agree with GBC and the Appellant that that cannot be a reasonable interpretation of European law in which proportionality is a key component. The fact that there is current exceedance does not automatically mean that any further development resulting in more vehicles on these roads would result in damage to the habitat of the Annex 1 birds; it means that there is a potential for damage that needs to be assessed.

20.139 If a scheme (or "process contribution") results in an exceedance of the critical level for the sensitive features concerned of less than 1% then it can be screened out from further assessment as the EA advises that it is unlikely that an emission at this level will make a significant contribution to air quality change as the component from the scheme would be small in comparison to the background. If it exceeds 1% then further assessment is necessary and if adverse effects arise then permission should be refused. It is the Appellant's case, which is supported by GBC, that while the critical level is exceeded in some areas close to the A3 and M25 by more than 1%, there would be no adverse effect.

20.140 Based on the proposed Scenario C3, the Appellant carried out a detailed assessment. This shows that the part of the SPA where the 1% increase is exceeded is limited to strips of land adjacent to the A3 and M25 (ID4: Table A10.3). Surveys show that beyond 200m there is no discernible effect; the impacts are thought to be greatest within the first 50-100m but the area where the appeal scheme makes a greater than 1% contribution is much more limited. The Appellant took a precautionary approach in using the full 200m distance; beyond that distance NOx dispersion falls to background levels⁵⁴.

⁵³ CD8.48: AECOM's HRA of Proposed Submission of the eLP

⁵⁴ WPI/5/1: Table 9 page 119 (Extracted from DMRB Volume 11 Section 3 Part 1)

20.141 My site visits, together with the details shown in the Appellant's evidence (WPI/5/1: Map 10) show that most of the SPA that falls within even 200m of the A3 and M25 comprises woodland; there are only small areas of heath. It also shows that by 2031 none of the heathland would fall within an area exceeding critical levels for NO_x with the appeal scheme and other future development. Under scenario C3, the scenario being pursued by the Appellant, the maximum distance of exceedance of the critical level would be 65m into the SPA (ID4). This woodland provides a shelter belt and possibly nesting opportunities for the Woodlark but does not offer ground nesting sites. This type of buffer is advocated in DMRB best practice. The evidence, which was not challenged, shows that some Nightjar territories have been within the 200m distance, but none within the 140m distance from these roads.

20.142 There is no indication that there is any rotational felling of these trees and so the likelihood of this land returning to heathland in the foreseeable future is limited. The woodland shelters the SPA from noise, light and other pollutants. The Management Plan shows no forestry clearance in this area. It also shows that heathland within what is now the SPA has increased in area substantially since 1971⁵⁵. The SPA is a former SSSI and its boundary has not been changed to reflect the requirements of the Annex 1 birds. It is also clear from the evidence⁵⁶ of the Appellant that there are parts of the SPA within the CL exceedance area that are currently or have recently been used as territories by the Annex 1 birds. The numbers of Annex 1 bird territories within Ockham and Wisley Commons has been stable or has increased in the past 7 years and all three species are well above their site specific targets.

20.143 I have already noted that NE raised no objections on air quality grounds and that GBC, following independent assessment, has raised no objections. I have seen no evidence that demonstrates that the changes in air quality, either individually or in combination with other developments, are likely to have significant effects or undermine the conservation objectives for the SPA. It follows that an Appropriate Assessment is not required. This is a neutral factor in the overall balance.

Whether the proposals make adequate provision for community and other facilities including education, police, health and libraries [7.130, 8.31, 9.35-9.36, 12.13, 13.23, 16.11, 17.8, 17.19, 17.30]

20.144 GBC has agreed the terms of the s106 Agreement in respect of all the above elements and is therefore satisfied that its original reason for refusal is now addressed. GBC did not pursue this issue at the Inquiry.

20.145 The financial contributions towards police and libraries, together with the provision of facilities for an on-site police presence are beneficial to both the future residents of the development and to nearby residents. That particularly applies to the police contribution as the area is currently policed from Guildford following the closure of the office in Ripley. This weighs in favour of the scheme.

20.146 The scheme would provide facilities for a health centre but the Appellant cannot guarantee that it would be utilised. In any event it is intended to

⁵⁵ WPI/5/5 Appendix 2: Wisley & Ockham Common Management Plan 2010-2020 (Figures 8 & 9)

⁵⁶ WPI/5/1: Maps 10 & 11

mitigate the impact of the development and has to be considered in that light. The provision of nursery and primary education facilities are designed to accommodate children living on the site. These facilities would therefore be no more than mitigation and are neutral in the overall balance.

20.147 The secondary education facility is rather more problematic, as shown by the fact that SCC would not be a party to the s106 Agreement if it were to be included. This resulted in the need for a second s106 Agreement, relating specifically to the provision of a secondary school, which has been signed by just the Appellant and GBC. The issue relates to the scale and siting of the secondary school; the need for one to accommodate children from the new development is not in dispute. SCC considers that it has not been demonstrated that there is a need for a 4-form entry school on this site; on its own the site would not generate sufficient pupils to justify a school of this size. SCC argue that the provision of a 4-form entry secondary school on the site may not be the most economically attractive solution; it is looking for a more flexible solution and does not want to be tied down to its provision on this site and at this time. SCC has caveated its response to the eLP to cover this point.

20.148 In these circumstances the Appellant has signed an Agreement with GBC to provide an all through primary and secondary school with four forms of entry at secondary and two forms of entry at primary including a state maintained nursery, all to be provided on the school site as detailed in the Agreement. This is in accordance with the allocation for the site as identified in the eLP. However, it is not agreed by SCC as Education Authority who considers that it may be harmful to school provision in the wider area. In these circumstances it cannot carry weight in favour of the proposals.

Other harm identified by interested parties [10.36, 13.16-13.17, 16.17, 16.29, 16.33, 17.8, 17.19, 17.23, 17.24, 17.25, 17.26]

20.149 GBC's sixth reason for refusal related to the potential impact of the retail element of the proposed development on the vitality and viability of existing district and local centres. The scheme includes about 2,240 sq m of retail floorspace (Classes A1 –A5) within the new village centre to serve the new residents, support its sustainability and reduce the need for off-site trips. Paragraph 26 of the Framework says that when assessing applications for retail, leisure and office development outside town centres an impact assessment is necessary where the scale exceeds either a locally set threshold or a default threshold of 2,500 sq m. The GBLP does not set a threshold and, while this element of the scheme would accord with the principles, if not the details, of the Policy A35 site allocation it is not in accordance with an up-to-date local plan.

20.150 GBC considered that in the absence of an impact assessment it was not possible to assess the impact of nearby local and district shopping centres. The Appellant submitted an "Assessment of Commercial Floorspace" (July 2016)⁵⁷. This resulted in GBC not pursuing this reason for refusal. It was pursued in the case presented by RPC albeit at a very general level with no evidence produced to demonstrate any harm arising. Part of the alleged harm arises from increased traffic and congestion having a negative impact on the ability of potential customers to park in Ripley.

⁵⁷ Assessment of Commercial Floorspace (Savills, July 2016): WPI/7/2 Appendix 4

- 20.151 Ripley appears to be a thriving centre with few vacant units. In July 2016 there was just one vacant unit (166 sq m) out of 34 units. It seems improbable that many Ripley residents would travel to the new centre, which would be considerably smaller. There would not be very much through traffic within the new settlement so the likelihood of trade diversion seems remote. I consider this to be a neutral factor in the balance.
- 20.152 There would be some loss of BMV agricultural land which, in accordance with paragraph 112 of the Framework, needs to be taken into account. While the Appellant considered that about 19ha of BMV would be lost to built development, this rather minimises the real impact. While that correctly identifies the amount that would actually be built on, some 44ha of BMV would no longer be available for agriculture and this is the quantum that needs to be considered in the overall balance. This loss weighs against the proposals.
- 20.153 The site is notable in that it adjoins very few dwellings so the impact on residential amenity would be limited. The dwellings to the north in Elm Corner would be close to the northern SANG and so a significant distance from any built development. There would be little impact on the living conditions of these properties. The only properties that would be sufficiently close to the proposed housing would be at Martyr's Green.
- 20.154 The occupiers of Yarne, in Ockham Lane, consider that their living conditions would be unacceptably affected, particularly due to loss of outlook and overlooking. In terms of outlook, the property, and particularly its grounds, benefit from long views to the west over the former airfield as far as Woking and beyond. These views would be lost by the development; it is unlikely that there would be any long views through the development. Yarne's principal windows appear to be to the front and rear, but there are first floor windows in the flank elevation facing the site whose views would be seriously curtailed. However, the loss of a private view carries little weight in the planning balance and, on its own, cannot reasonably sterilise an adjoining parcel of land. The new housing close to Yarne could be subject to restrictions in terms of height and proximity as set out in the suggested conditions 15 and 16 so the development would not appear unacceptably overbearing.
- 20.155 Despite these restrictions, if the development proceeded in accordance with the layout shown on the indicative masterplan, the garden of Yarne could be subject to a significant level of overlooking from the upper floor windows of new houses. The indicative plans show that as many as 11 houses would face its garden with a further two potentially having windows in their flank elevations. This would represent a significant change to a property which currently enjoys a secluded garden. While there is a hedge along the common boundary, its height and quality declines towards the rear of the plot. Most of the overlooking would impact on the northern end of Yarne's garden, furthest from the house, and the level of likely overlooking would not, on its own, be sufficient to justify withholding permission.
- 20.156 Ockham End, on Old Lane also benefits from a secluded garden. The indicative layout shows that there could be 5 houses whose principal outlook would face its garden and this would be likely to result in some harm. However, the distances exceed the minimum 20m and so the harm would be likely to be limited, although the parameter plan indicates that these houses could have

three storeys. The potential for harm to living conditions arising from a loss of privacy carries a small amount of weight against the scheme.

Other material considerations [7.15, 7.134-7.157, 8.32-8.49, 9.37-9.44, 10.39- 10.43, 12.14-12.15, 13.26- 13.29]

20.157 Fourteen other material considerations were advanced by the Appellant in support of the appeal scheme. The Appellant considers that each of these factors contribute to the VSC necessary to justify the development. This is in line with the judgment in *Temple*⁵⁸ where it was held that “there is no reason why a number of factors ordinary in themselves cannot combine to create something very special”. Each of the factors identified by the Appellant is now considered in turn:

i) *Support from the eLP and consistency with the emerging evidence base* [7.135-7.136, 8.46-8.49, 9.37-9.38, 9.42]

20.158 The appeal site forms part of a larger site identified in draft Policy A35 of the eLP to be removed from the Green Belt and to be developed. Amendment 2: Former Wisley Airfield (ID17) increases the amount of land proposed for removal from the Green Belt to include all the appeal site (including the northern SANG); all of Bridge End Farm; and the land abutting the site at Martyr’s Green in the corner formed by Old Lane and Ockham Lane, including Yarne. This additional land at Bridge End Farm and Martyr’s Green is not within the identified Policy A35 site allocation.

20.159 To that extent the proposals are consistent with the eLP. However, the eLP site is considerably larger than the appeal site as it includes land around Bridge End Farm to the south. Notwithstanding the fact that the site is smaller, the amount of development proposed has not been significantly reduced from that specified in the eLP. The proposals intend to place almost the whole quantum of the Policy A35 allocation for Wisley Airfield into a considerably smaller site. The number of sheltered/ extra care units proposed (60) is fewer than set out in the allocation (100), but otherwise the figures are similar.

20.160 The proposals gain support from the eLP, therefore, in terms of the principle of the development of the former Wisley Airfield, but the quantum of development now proposed is very similar to that identified in the proposed site allocation to be provided on a larger site. The residue of the land, surrounding Bridge End Farm, would remain within the eLP site allocation and its development for housing would result in a rather larger new settlement than envisaged in the eLP. To the extent that the appeal scheme proposes almost as much development on the appeal site as Policy A35 allocates on a larger site, the appeal proposals are not wholly consistent with the eLP. This reduces the amount of weight that can be given to this factor.

20.161 I give great weight to the fact that Wisley Airfield has been identified by GBC as a suitable site for a new community in various iterations of the eLP for several years. The Examination in Public (EiP) was initially anticipated in May/ June 2016 (CD8.40); now it is anticipated in April 2018 (CD8.43). In the light of this the not unreasonable expectations of the Appellant included the likelihood that the eLP would have gone through its EiP before the application

⁵⁸ *Basildon v FSS & Temple* [2004] EWHC 2759 (Admin)

was determined. GBC considers that the site meets the exceptional test for its removal from the Green Belt and its release would mean that other, possibly more sensitive, sites could remain in the Green Belt.

20.162 Nonetheless, the current position is that the eLP only attracts limited weight. It has not yet been submitted to the SoS or tested at an EiP and while it is at an advanced stage and the cited policies seem consistent with the Framework, there remain significant unresolved objections. These objections are significant in number and in substance. HE has not given the green light to the proposed slip roads at Burnt Common which GBC acknowledge are critical. In closing, GBC said that these slip roads are regarded by SCC and GBC as essential mitigation for the Borough's future growth; without them the eLP's strategy for the future growth of the Borough cannot be delivered. In accordance with paragraph 216 of the Framework the eLP can attract only limited weight. Due to the partial inconsistency of the scheme with the eLP and the limited weight that the eLP itself carries, I conclude that this factor can only be given a little weight in favour of the scheme.

20.163 I have also had regard to the fact that consideration of this factor overlaps with several of the other factors advanced as other material considerations, in particular the lack of alternative sites (ii); delivery of market and affordable housing (vi & vii); and reuse of brownfield land (ix). This risks double counting.

ii) *The uniqueness of the proposed development and site, notably the absence of a viable, feasible and available alternative for a new settlement in the Borough* [7.137]

20.164 The Borough is severely constrained in terms of opportunities for development. About 89% lies within the Green Belt and other constraints include the urban area of Guildford itself and areas subject to flooding. This site is identified in the eLP; it is the only such site in this emerging local plan and its allocation is supported in such background documents as the GBCS. GBC has agreed that it is essential for the development strategy proposed in the eLP. As things stand, however, the site still lies within the Green Belt although GBC, through the eLP is seeking to remove it from this designation. As set out above, however, the eLP has still to undergo its EiP and its weight is limited.

20.165 The eLP allocation site clearly has a number of benefits, not least the fact that it is of sufficient size to accommodate the Policy A35 allocation. It has a substantial amount of PDL with the disused runway and hardstandings. The single ownership of much the site, including the whole of the appeal site, is a benefit. The site is almost devoid of buildings or other uses apart from agriculture which means that it would be possible for the development to commence within the next 5 years with the bulk of the housing coming forward in years 6 to 15. Its availability for development and the lack of suitable alternative sites weighs in its favour. The weight cannot be very much, however, due to the limited weight that can be given to the eLP at this stage in the process.

iii) *Job creation and delivery of economic growth; & iv) Increased consumer spending and retail provision* [7.138-7.139, 8.39]

20.166 These two factors are dealt with together in the Appellant's evidence and closing submissions and I have followed that approach. There is no doubt that

there are significant economic benefits that would arise from the scheme. These include the creation of direct job opportunities during the construction phase (about 1,800 jobs over 12 years; about 150 per year) as well as indirect construction jobs (30 per year); the operational jobs within the site or associated with it; the financial benefits to nearby shops and other businesses that would derive from the consumer spending power of the new residents.

20.167 Other benefits would include a Gross Added Value uplift of £57,551,000 and an income of about £4m to GBC in the form of Council tax and business rates. Provided that the s106 Agreement is triggered, the development could produce planning benefits of around £40m. Overall, the economic benefits are considerable and carry significant weight in favour of the development. The Appellant has compared this proposal with the *Perrybrook* scheme on the basis that this proposal provides a greater degree of economic benefit and, despite having a smaller economic benefit that scheme was still approved. However, the other differences between the schemes, and in particular the different stages that the respective emerging plans had reached, means that *Perrybrook* is not particularly helpful to the Appellant.

v) *Upgrades to local infrastructure, notably to the SRN, upgrades to existing public transport and provision of new public transport; and cycling infrastructure benefits* [7.140-7.141, 8.41-8.44, 9.39]

20.168 There would be a number of improvements to local infrastructure and public transport. While many of these improvements are specifically designed to ensure that the proposals comprise a sustainable form of development, there would undoubtedly be benefits for the wider community. These benefits can reasonably be counted towards the VSC considerations.

20.169 The off-site highways works to the SRN at Burnt Common and M25 (J10) would be of benefit to other road users and, in accordance with the traffic modelling, would reduce traffic on local roads and be of particular benefit to residents in Ripley. The Burnt Common slip roads are strongly supported by GBC, who regard their provision as critical and a prerequisite to realising the eLP benefits as a whole. They accord with eLP Policies A35 and A43a. They are supported in principle by HE and SCC. While these works to the SRN are primarily for mitigation purposes, there would be benefits for other road users.

20.170 Concerning the off-site works to the LRN the measures at Ockham Interchange are mostly for mitigation purposes. The mini-roundabout at the Howard Road/ Horsley Road/ Forest Road junction would be of benefit to the wider community as this is currently an awkward staggered cross-roads. On the other hand, some of the proposed works such as at Horsley Station are not supported by that Parish Council and its benefit seems limited.

20.171 The three bus services are proposed to be provided in perpetuity with, long term, a minimum of 2 buses per hour to Guildford; 5 buses per hour to Effingham Junction/ Horsley; and 2 buses per hour to Cobham. Once again these services are primarily proposed for the benefit of residents in the new community. There would be some benefits for the wider community although as the bus to Guildford, for example, replicates an existing service and would not take in Send, the benefits would be limited. The service to Cobham could be beneficial to some businesses there but the benefit for non-site residents would again be limited.

20.172 The cycle route to Byfleet may encourage cycling, but the likelihood of many Byfleet residents wishing to visit the appeal site must be limited. It is mostly for the benefit of new residents. The substantial financial contribution (£2m) towards cycling in the immediate area would benefit existing residents and new residents alike but as the new residents would numerically outnumber the existing residents in the immediate area the benefit would be likely to be similarly skewed. Even with the substantial financial contribution these proposals do not fully meet the infrastructure requirements in eLP Policy A35.

20.173 Overall, the benefits to the SRN are considerable and would result in benefits to other road users and residents. This weighs in favour of the development. The wider public benefits of the other elements of this section are rather more limited; the main beneficiaries would be future site residents.

vi) *Delivery of a significant proportion of the Borough housing requirements, notably market and care homes, and provision for gypsies and travellers* [7.142-7.144, 8.37, 9.40]

20.174 The PPG⁵⁹ states that unmet housing need (including traveller sites) is unlikely to outweigh the harm to the Green Belt and other harm to constitute the VSC justifying inappropriate development on a site within the Green Belt. However, there is no doubt that the provision of market housing in a borough which has a very significant shortfall in supply is a major consideration. Housing can be a factor in the overall balance and be one of a raft of considerations which together combine to amount to VSC, as demonstrated in, for example, *Perrybrook, Lee Valley and Doncaster*.

20.175 GBC does not have a five-year housing land supply. It is agreed that the supply is in the order of 2.36 years and that it is a "20% buffer" authority due to past, present and persistent housing supply shortfalls. New housing from the site could come on stream in the fifth year and the bulk of the housing would come forward in years 6-10 and 11-15. It would continue to be a source of new homes, at a rate of about 133dpa (according to the Appellant; the Officers' report says 170dpa), for around 15 years. It would boost significantly the supply of housing in a borough which has persistently under-performed. This is a benefit that carries significant weight.

20.176 The provision of sheltered housing/ extra care homes would provide a further benefit. The Officers' report (CD6.1 p37) says that the SHMA identifies a need of 242 care home bed spaces and a need for 1,334 older persons housing between 2013 and 2033. This adds weight to the housing benefit.

20.177 GBC's GTAA acknowledges a need for more sites for travellers. The provision of 8 pitches would help to address this shortage. Its provision is in accordance with emerging eLP Policy H1 where 8 pitches/plots would be required on sites where the housing provision exceeds 2000 dwellings and Policy A35 which allocates 8 pitches for Wisley Airfield. The site, as shown on the indicative masterplan, would not be particularly well integrated with the rest of the housing. The Landscape Strategy⁶⁰ shows it to be sited behind a mound and planting, cutting it off from the rest of the site. However, this is an outline

⁵⁹ PPG: ID: 3-034-20141006

⁶⁰ WPI/2/1 Fig 16 page 48

scheme and its integration could be ensured at the detailed stage. While this provision is no more than would be required by the policy, due to the existing shortfall in provision this is a benefit that carries some weight.

vii) *Delivery of up to 800 affordable homes in the context of poor past delivery in the Borough* [7.145-7.146]

20.178 The provision of affordable housing is also a requirement of the eLP with emerging Policy H2 saying that on a site of this size GBC would seek it to comprise at least 40% of the homes. GBC has a poor record of providing affordable housing over the past few years and this provision would vastly increase its provision. In the last 8 years, only 485 affordable homes have been built in the Borough. In the period 2013/ 2014 the figure was 17. This is against a backdrop of 517 households per year needing support to meet their housing needs. Based on current projections, the provision of 800 affordable homes would represent over 10% of the Borough's affordable housing need in the period 2015-2034 and almost 20% of the likely provision. While the provision is no more than would be required by Policy H2, it is a benefit that carries significant weight.

viii) *Improvements to education, including direct provision of a primary school and secondary school, which partly meets the wider demand, and improvements to health and community provision including sports provision* [7.147-7.148, 8.40, 9.41]

20.179 Concerning education, the provision of on-site nurseries and a primary school would be a benefit for future site residents rather than for the wider community. There may be some wider benefits but these would be limited.

20.180 The provision of a secondary school could be a benefit provided it made provision for more than just the needs of the new development. In this regard it is accepted that the site would create a requirement for a 2-form entry secondary school as it would generate a need for an estimated 346 secondary school places. The Appellant proposes to provide a 4-form entry secondary school, which would provide 600 spaces. This surplus could be used by the wider community. Nonetheless the ES (CD14.1.13) says that the residual effects in the capacity of educational facilities are predicted to be "negligible".

20.181 In its Officers' report GBC stated that the provision of education facilities to serve the needs of the development would not weigh in favour of a grant of planning permission and that a school of greater capacity could count significantly in favour of the scheme. The Appellant and GBC have entered into a s106 Agreement to secure the provision of a 4-form entry secondary school. SCC, as Education Authority, has not entered this Agreement on the basis that such a large school could result in over-provision and that this is not necessarily its best location. It currently objects to this provision on this site as it requires greater flexibility and control over the location and timing of any provision. SCC has caveated its response to the eLP to avoid over-provision.

20.182 The Appellant is therefore in a difficult position in that the provision of a 2-form entry secondary school, meeting only the needs generated by the site, would not be a community benefit. Its desired solution, the provision of a 4-form entry secondary school, is not supported by the education authority who considers that it could, at this stage, be harmful to such provision in the area.

In these circumstances I do not consider that the provision of a 4-form entry secondary school here can reasonably weigh in favour of the scheme.

20.183 The provision of health facilities and sports facilities is primarily for the benefit of future residents and so carries very limited weight, the ES says it is "minor beneficial".

ix) *Re-use of brownfield land, including a derelict runway* [7.149-7.150, 8.45]

20.184 A significant proportion of the site is hard surfaced as a runway and hardstandings. At almost 30ha it is the largest area of PDL in the Green Belt in the Borough and its beneficial reuse is a benefit which weighs in favour of the development and one which contributes to VSC. The presence of the PDL contributes to GBC's justification for seeking to release it from the Green Belt.

20.185 The weight that arises from this must be tempered, however, by the fact that in addition to the PDL a large area of agricultural land including well over 40ha of BMV would be lost to agriculture. The Appellant argued that much of this agricultural land would not be built on as it would be used for playing fields, open space and SANGs, and so could be brought back into agricultural use in the event of a national emergency. This might be difficult to achieve due to the legal agreements entered into by the Appellant and GBC/ SCC. This benefit carries limited weight.

x) *Creation of new publically accessible greenspaces* [7.151]

20.186 The site is currently only accessible to the public along the several PROWs that cross it. The application for an ACV failed partly for that reason. The proposals would open up significant areas of publicly accessible open space, about 65ha in total, and retain the PROWs on their current alignments. While much of this greenspace is primarily for the benefit of future residents of the development, the SANGs in particular would also be of benefit for the wider area. The provision would exceed the minimum standards but, as set out above, the utility of the northern SANG where it abuts the housing would be limited. The ES (CD14.1.13) identifies that the provision of open space is likely to have a long term "minor beneficial" impact on the wider area. This public benefit is a material consideration which carries some weight in favour.

xi) *Landscape and biodiversity enhancements* [7.152-7.153]

20.187 The Appellant accepts that there would be some landscape impacts of the scheme that should be given moderate weight against it. There would be some landscape benefits that would make a positive contribution to the area although these would be quite limited and mostly seen from within the site or provided to reduce the visual impact of the site on the surrounding area. The biodiversity benefits are achieved, to a significant extent, at the loss of agricultural land as much of the built form of the new settlement would be sited over the existing runways. The removal of the large area of hardstanding in the north west part of the site would, in visual terms, be a landscape benefit; planting on it would in time be a considerable biodiversity benefit.

20.188 Overall, and as set out above, I have concluded that the harm to the landscape of the wider area weighs significantly against the development. The lesser benefits within the site would not outweigh this harm and so I do not consider that the on-site landscape and biodiversity benefits can be a factor that

carries much weight in favour of the scheme. They can only be achieved at the cost of off-site harm in the wider area.

xii) *Sustainable development incorporating ongoing management of the site via a Community Trust* [7.154]

20.189 The considerations as to whether the proposals comprise a sustainable form of development are set out elsewhere in this Report. They also form part of the considerations in respect of almost all the other material considerations advanced by the Appellant and so including this factor as an additional benefit risks double counting. In brief I have agreed that there are economic and social benefits, mainly arising from the provision of market and affordable housing and employment opportunities but that these benefits are outweighed by the environmental harm that would arise. This, together with the fact that the economic, social and environmental benefits are considered under other factors in this section of the Report, means that this factor, as a separate entity, adds very little to the Appellant's case.

20.190 The management of the site, including the SANGs, would be by means of the WACT. This would also be the means of providing a direct subsidy to the bus services, but the benefits of these have already been given weight in (v) above. There would be some benefits arising from the SANGs being managed but as their open space benefits have already been considered, their ongoing management which would be essential for them to have any benefit under (x) above, adds very little weight.

xiii) *Flood risk mitigation at Ockham Interchange* [7.155, 9.44]

20.191 The Appellant says that the improvements to the Ockham Interchange will enable the flood risk issues there to be alleviated. The details of this are set out in the Appellant's evidence⁶¹ but this has not been raised as an issue at the Inquiry. While some residents raised major concerns about flooding elsewhere in Ockham Lane only one resident raised flooding at this roundabout as an issue. There is no evidence to show that, if it is a serious problem, the appeal scheme is the only way it could be alleviated. Any works to alleviate flooding here would not justify a development of the scale now proposed.

xiv) *Improvement to local policing* [7.156, 17.30]

20.192 The proposed facilities for the Surrey & Sussex Police at the appeal site within the community centre would provide mitigation for the scheme. Insofar as it would bring policing closer to the existing communities in the area, there would be some benefit. The police station in Ripley closed recently and since then the area has been policed from Guildford. This would bring some limited benefit over and above the on-site benefits and so carries some limited weight.

21. Conditions and Obligations [18.1-18.11, 19.1-19.11]

21.1 If the SoS is minded to grant planning permission I recommend that the conditions set out in Annex 4 to this Report are imposed on any permission granted. A draft list of conditions, which had previously been agreed by the Appellant and GBC, was discussed at the Inquiry. An amended list was

⁶¹ Document WPI/7/2: Appendix 9

submitted following that discussion and I have based the suggested conditions on that agreed list.

21.2 The two Agreements under s106 were also discussed at the Inquiry. I consider that they meet the requirements of the CIL Regs and paragraph 204 of the Framework.

21.3 The separate s106 Agreement with GBC is necessary as a stand-alone document because SCC is not convinced that the timing of the provision of the secondary school element would meet its requirements. SCC agrees that the development would yield sufficient pupils for a 2-form entry school but SCC wishes to maintain the flexibility to provide the secondary school elsewhere. SCC has caveated its response to the eLP to avoid the potential for over-provision, which would be financially harmful to the SCC. The separate Agreement with GBC covers the eventuality that the four-form entry school is needed on the appeal site.

22. The Planning Balance: Whether the other material considerations advanced in support of the development are sufficient to clearly outweigh any harm to the Green Belt, and any other harm, such as to amount to the very special circumstances necessary to justify the development

22.1 The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The Framework advises that the essential characteristics of Green Belts are their openness and permanence. These proposals would comprise inappropriate development in the Green Belt and this definitional harm weighs against the scheme. I have agreed with the 2010 Inspector that the existing runways do not compromise the openness of the site and as the scheme would result in a permanent loss of openness this also weighs against it. The weight to be given to the loss of openness is reduced only very marginally by the extant planning permission for the IVC on a small part of the site as the Appellant has said that this will not be built.

22.2 The Framework says that the Green Belt serves five purposes; this proposal would conflict with two of them. It would not assist in safeguarding the countryside from encroachment or assist in urban regeneration as the land, while largely derelict, is not in an urban area. Taken together, and in accordance with paragraph 88 of the Framework, this harm to the Green Belt carries substantial weight.

22.3 The proposals would have a severe impact on the northbound section of the A3 between Ockham Interchange and the M25 (J10). The revised proposals include the provision of new north facing slip roads at Burnt Common but HE object to these and it has not been demonstrated that they could be delivered. While HE, GBC and SCC all support the principle of the provision of these slip roads the current position is that there are unresolved HE objections. It has not been shown that the development can be carried out without causing harm to highway safety. This would be contrary to advice in the Framework and carries substantial weight against the proposals.

22.4 There would be harm to both the character and the appearance of the immediate area. The siting of a large new settlement in a rural part of the Borough that is surrounded by several hamlets would inevitably result in

substantial harm to the rural character. While the impact on the appearance of the area is less severe and could, to a large extent, be mitigated by landscaping, there would still be some harm especially when seen from the lanes in the south east corner and the PROWs within the site. The harm to the character of the area carries significant weight; the harm to the appearance of the area carries some further weight.

- 22.5 There would be some harm to the setting of several heritage assets in the vicinity of the site. There would be some harm to the setting of Yarne, and a small amount of harm to the setting of Upton Farmhouse and Appstree Farmhouse, all Grade II listed buildings. There would be very limited harm to the setting of Chatley Semaphore Tower, a grade II* listed building and a small amount of harm to the setting of RHS Wisley, a Grade II* Registered Park and Garden. There would be some harm to Ockham Conservation Area arising from a likely increase in traffic on its roads. All these harms fall within the ambit of less than substantial harm as set out in the Framework and I give this harm considerable weight.
- 22.6 Since the harm would be less than substantial it needs to be weighed against the public benefits of the proposal in accordance with advice in paragraph 134 of the Framework. The public benefits arising from the proposals, including the provision of market and affordable housing, in a Borough where there is substantial shortfall in provision, would be sufficient to outweigh this harm so the scheme would not be in conflict with paragraph 134 of the Framework.
- 22.7 There would be some harm arising from the poor location of the site, away from existing services and facilities and resulting in the likelihood that private cars would be used for most trips. It is proposed to provide some on-site facilities, as well as new bus services, but the need for these emphasises the lack of provision in the area and the fact that some of the new homes would be quite remote from the new village centre. The location is not conducive to cycling or walking to off-site facilities, such as stations. All this carries some weight against the scheme.
- 22.8 There would be further harm arising from the loss of BMV agricultural land, due to the loss of privacy for residents of two adjoining dwellings and the loss of a safeguarded waste site. This carries some weight against the scheme.
- 22.9 There are a number of neutral aspects of the proposals such as the likely impact on air quality, on the TBHSPA, and on the LRN. I have given these aspects no weight either way in the overall balance.
- 22.10 Against this harm it is important to consider that the site comprises part of a larger parcel of land allocated in the eLP for a residential led mixed use development. The site has been identified in GBC policy for this use for several years. This eLP allocation, however, carries only limited weight in accordance with paragraph 216 of the Framework. It is also relevant that the proposals do not fully meet the requirements of Policy A35 of the eLP.
- 22.11 Concerning the weight to be given to the eLP the Appellant sought to rely on *Perrybrook*⁶². In that case the relevant emerging plan was at a far more

⁶² CD10.2: APP/G1630/V/14/2229497

advanced stage. Of particular importance are paragraphs 19 and 30 of the Decision in which the SoS noted the preliminary findings of the Examiner of the emerging Joint Core Strategy. These included the finding that exceptional circumstances existed for the release of a strategic allocation from the Green Belt and that its allocation was sound. The emerging plan in that case was at a substantially more advanced stage than the eLP in Guildford, which has not yet been submitted. In *Perrybrook* the SoS was able to conclude that considerable weight could be given to its broad approach. I do not consider that anything like that amount of weight can be given in this appeal; its weight can only be limited.

22.12 The other material considerations advanced in support of the appeal, in the opinion of the Appellant and when taken together, amount to the VSC necessary to justify the development. However, the weight that can be given to them needs careful consideration as there is a degree of overlap between them which could easily result in double counting. Many of the alleged benefits are little more than mitigation for the proposed housing and to ensure that it comprises a sustainable form of development. The benefits for the wider community, outside the appeal site, are rather more limited.

22.13 The principal benefit is the provision of homes including market and affordable housing, sheltered housing/ extra care homes and traveller pitches. There is an acknowledged and pressing need for housing in the Borough although the scale of the need and the requirement has not yet been tested at an EiP. Government advice says that this, on its own, is unlikely to amount to the necessary VSC. The provision of up to 2068 new homes nonetheless carries very significant weight in favour of the development.

22.14 There would be economic benefits arising from the scheme. The ES⁶³ says that the residual effect on employment during construction is “moderate beneficial” and that the provision of employment space is likely to have a “minor beneficial” impact on the wider area. The economic benefits have since been updated and now carry rather more weight in favour. The provision of public transport would have few benefits outside the site as the routes do not take in many other communities so this benefit carries limited weight. The improvements to the cycle routes to Ripley and Byfleet are again primarily for the benefit of site residents so carry only limited weight.

22.15 The other benefits which go beyond mitigation include the re-use of PDL, although this weight is limited by the amount of agricultural land that would be lost. The provision of green spaces and the biodiversity improvements are primarily mitigation. The flood alleviation at Ockham Interchange carries only limited weight as it has not been shown that this is the only way in which this issue could be addressed.

22.16 Many of the other material considerations advanced are primarily mitigation for the impact of the housing; some, such as the schools, shops and commercial units, would themselves comprise inappropriate development in the Green Belt.

22.17 Overall, the benefits of the scheme and other considerations are not sufficient to outweigh the harm to the Green Belt by reason of inappropriateness and all

⁶³ Environmental Statement, Chapter 13 – Socio-economics: CD14.1.13

the other identified harm. The other material considerations do not amount to the very special circumstances necessary to justify the development.

23. Overall conclusions

- 23.1 A core planning principle, set out in the first bullet point of paragraph 17 of the Framework, is that planning should be genuinely plan-led empowering local people to shape their surroundings. The GBLP dates from 2003 with some of its evidence base dating from last century. These proposals are largely, but not completely, in accordance with the eLP but, for the reasons set out above, it carries only limited weight as there are unresolved objections to the relevant policies. The unresolved objections are significant in content and quantity and this limits the weight that can be accorded to the eLP.
- 23.2 I can understand the frustration of the Appellant who could reasonably have expected the eLP to be at a more advanced stage by now, such that it could carry more weight in support of these proposals. However, a significant element in the objections to the proposals concerns off-site highway works. These were only changed at the time the proofs of evidence were submitted, giving other parties, including HE, insufficient time to fully consider them.
- 23.3 There is a further concern in that the proposals do not fully accord with the eLP. The scheme seeks to accommodate roughly the same amount of development as sought by the eLP on a smaller site. Other requirements of the eLP, set out in Policy A35, such as the provision of an off-site cycle network to key destinations; the reasonable integration of the traveller pitches with other residential development; and sensitive design at site boundaries would only be partly met by this scheme, impacting upon its sustainability.
- 23.4 Paragraph 7 of the Framework says that there are three dimensions to sustainable development: economic, social and environmental. While the site is in a location identified for this form of development in the eLP that emerging plan still has to be submitted to PINS and undergo the rigors of an EiP. Nonetheless, if approved the scheme would provide a comprehensive, phased residential development with supporting commercial and recreational facilities. There would be employment opportunities in the shops, schools, offices, transport, industrial units and recreational facilities which would ensure that much of the economic dimension would be met.
- 23.5 However, the failure to provide adequate infrastructure is a major, and fatal, failing of the scheme. Without the north facing slip roads at Burnt Common the local roads could not accommodate the traffic from the whole development; a partial scheme would not be of sufficient size to enable the facilities and infrastructure to be provided and maintained. This important aspect of the economic dimension weighs heavily against the proposals.
- 23.6 The social dimension would be met by the provision of much needed homes in a Borough which does not have a five-year housing land supply. Indeed, the supply is just 2.36 years and this represents a significant shortfall which will not be met for some time even if the latest iteration of the eLP is submitted in December 2017. The scheme makes provision for a mix of market and affordable housing, sheltered housing/ extra care homes and pitches for gypsies and travellers. The delivery and the mix of tenures and unit sizes for the affordable housing are set out in the s106 Agreement. The submitted indicative

plans show that there could be a high quality built environment, albeit that I have strong reservations about the scale of some of the buildings. In addition there would be social facilities including schools including nurseries, community facilities and bus services in perpetuity.

- 23.7 The environmental dimension is not met. The proposals would not protect or enhance the natural, built and historic environment and may well result in a high level of car-dependency and so fail to assist in the provision of a low carbon economy. For the reasons set out above the scheme would be harmful to the Green Belt; to the character and the appearance of the area; and to the historic environment.
- 23.8 Such a scheme, in a rural setting, is almost bound to result in harm to the character of the area in which it is located. By being located in the midst of a cluster of hamlets the harm caused by the new settlement would be particularly noticeable and severe. The scale of the buildings would be wholly out of keeping with its context, causing harm to both the character and the appearance of the area. A combination of its linear form, in part a consequence of the smaller site, and its location on a ridge means that there would be longer views of the proposals, including views from the AONB from where the new settlement would be seen to impose itself on the landscape without regard to the established settlement pattern or form.
- 23.9 Taking account of all three dimensions, I do not consider that compliance with the social dimension outweighs the conflict with the economic and environmental dimensions. While the provision of homes is in accordance with paragraph 47 of the Framework, which seeks to boost significantly the supply of housing, this cannot be at any cost and the costs here would outweigh this benefit. The proposals, therefore, do not constitute sustainable development.
- 23.10 The proposals are in conflict with the development plan, albeit that this is out-of-date. Some of the relevant policies have been saved and so remain extant. The proposals are also in conflict with the Framework, and in particular the policies that seek to protect the Green Belt, protect the countryside and ensure that the transport implications of development are not severe. The proposals are also in conflict with policies in the SWP, but this carries very little weight against the scheme. The benefits of the scheme do not outweigh this serious policy conflict and all the other identified harms.

24. Recommendation

File ref: APP/Y3615/W/16/3159894

- 24.1 I recommend that the appeal be dismissed.

Clive Hughes

Inspector

APPEARANCES

FOR WISLEY PROPERTY INVESTMENTS LIMITED:

James Maurici QC	Instructed by Herbert Smith Freehills LLP
Heather Sargent of Counsel	
They called	
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Mark Patchett*	MPCS

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Charles Forest of Counsel	Guildford Borough Council
They called	
Paul Sherman MSc MRTPI	Development Management Team Leader (Majors),
	Guildford Borough Council
Stephen Cault*	Brown Jacobson (Solicitors)

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FOR EAST HORSLEY & WEST HORSLEY PARISH COUNCILS:

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Keith Robinson BSc(Hons)	Traffic Impact
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Roger Miles BSc(Hons)	Director, Roger Miles Planning Ltd
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Robert Taylor*	East Horsley Parish Council

FOR RIPLEY PARISH COUNCIL:

Colin Cross	Ripley Parish & Guildford Borough Councillor
He called himself and	
Suzie Powell-Cullingford	Ripley Parish Councillor
Casper Hancock	Ripley Parish Councillor
Lisanne Mealing	Ripley Parish Councillor

FOR COBHAM CONSERVATION & HERITAGE TRUST:

David Bellchamber	Trustee, Cobham Conservation & Heritage Trust
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FOR MR GB & MRS A PATON:

Ben Paton	Yarne, Ockham Lane, Ockham
Andrea Paton	Yarne, Ockham Lane, Ockham

FOR HIGHWAYS ENGLAND:

Ned Westaway of Counsel	Instructed by Highways England
Hugh Flanagan of Counsel*	
He called	
Paul Harwood BSc CEng	Regional Lead for Spatial Planning, Highways England
MICE MCIHT	

FOR SURREY COUNTY COUNCIL:

Michael Green*	Highways
Stephanie Christiansen*	Solicitor, SCC

FOR THE ROYAL SOCIETY FOR THE PROTECTION OF BIRDS:

James Dawkins*	RSPB
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* Attended sessions on Conditions and s106 Agreements only

INTERESTED PERSONS:

Sir Paul Beresford MP	Member of Parliament for Mole Valley
Reverend Hugh Gear	Rector of Ockham with Hatchford and Downside
Richard Max	Richard Max Solicitors, on behalf of Royal Horticultural Society
Lesley Tregaskes	Local resident
Mary Pargeter	Local resident
Arnold Pindar	Chairman, Effingham Parish Council
Vivien White	Chairman, Effingham Residents' Association
Euan Harkness	Local resident
Alistair Cochrane	Local resident
Cathryn Walton	Local resident
Garry Walton	Local resident
Peter Cordrey	Local resident
Jennie Cliff	Local resident
Frances Porter	Local resident
Suzie Powell-Cullingford	Local resident
Malcolm Aish BSc ARCS DPhil	Local resident

William Barker OBE	Local resident
Katherine Paulson	Local resident
David Scotland	Local resident
Alice Jeffries	Local resident
Robert Shatwell	Local resident
Harry Eve	Local resident
Clare Attard	Local resident
Carol Cordrey	Local resident
David Boothby	Local resident
Glen Travers	Local resident
Annie Cross	Local resident
Jane Paton	Local resident
Julia Paton	Local resident
Arthur Paton	Local resident
Jan Lofthouse	Local resident
Amy Barklam	Local resident
Peter Heath	Local resident
Emily Haywood	Local resident

PRE-INQUIRY DOCUMENTS

PID1	Agenda for pre-inquiry meeting (5 July 2017)
PID2	Draft list of main issues
PID3	Notes of pre-inquiry meeting
PID4	Draft programme for inquiry
PID5	Letter from Royal Society for the Protection of Birds (26 June 2017)
PID6	Letter from Herbert Smith Freehills to PINS (with enclosures) (30 June 2017)

DOCUMENTS SUBMITTED AT THE INQUIRY:

ID1	Draft conditions
ID2	Draft Agreement under s106
ID3	Letter dated 18 September 2017 from Herbert Smith Freehills LLP to PINS and enclosures
ID4	Transport Technical Note and appendices: WSP (September 2017)
ID5	Opening speech on behalf of the Appellant
ID6	Opening statement on behalf of Guildford Borough Council
ID7	Opening submissions on behalf of Wisley Action Group and Ockham PC
ID8	Opening submissions on behalf of East and West Horsley Parish Councils
ID9	Opening statement from Ripley Parish Council
ID10	Opening statement of Cobham Conservation and Heritage Trust
ID11	Opening statement of Mr & Mrs Paton
ID12	Opening statement on behalf of Highways England
ID13	Statement from the Rector of Ockham
ID14	Council's neighbour notification letter and list of persons notified
ID15	Procedural note submitted by the Appellant
ID16	Guildford Borough: Traveller Accommodation Assessment (June 2017)
ID17	Guildford Borough Proposed Submission Local Plan: strategy and sites – Amendment 2: Former Wisley Airfield (June 2017)
ID18	Statement by Richard Max on behalf of Royal Horticultural Society
ID19	Suggested itinerary for site visit (Appellant)
ID20	Letter from West Clandon Parish Council to PINS (22 September 2017)
ID21	Letter from East Clandon Parish Council to PINS (20 September 2017)
ID22	Letter from Transport Development Planning Manager, Surrey County Council to PINS (14 September 2017)

- ID23 Suggested itinerary for site visit (Mr GB & Mrs A Paton)
- ID24 Memo from Appellant re Traffic Datasets (22 September 2017)
- ID25 Turning counts at Howard Rd/ Forest Rd/ Old Lane/ Horsley Rd
- ID26 Orientation of views towards site from AONB (based on Michael Davies' Rebuttal Appendix 1 tab 4)
- ID27 Suggested itinerary for site visit (East & West Horsley Parish Councils)
- ID28 Footpaths Map of Ockham and Hatchford
- ID29 Statement of Lesley Tregaskes
- ID30 Statement of Mary Pargeter
- ID31 First Statement of Common Ground between Wisley Airfield Property Investments and Highways England (28 September 2017)
- ID32 Highways England: Licence (April 2015)
- ID33 European Site Conservation Objectives (TBHSPA) and Supplementary Advice (Natural England: 2 May 2016)
- ID34 Note on Traffic Modelling by WAG&OPC (19 September 2017)
- ID35 Appellant's response to Air Quality Consultants Note (2 October 2017)
- ID36 Statement by Royal Horticultural Society, Wisley
- ID37 Statement by Effingham Parish Council
- ID38 Statement by Effingham Residents' Association
- ID39 Statement of Cathryn Walton
- ID40 Statement of Garry Walton and appendices
- ID41 Statement of Peter Cordrey
- ID42 Statement of Jennie Cliff
- ID43 Statement of Frances Porter (with photographs)
- ID44 Statement of Suzie Powell-Cullingford
- ID45 Statement of Malcolm Aish
- ID46 Statement of William Barker (with attachments)
- ID47 Statement of Katharine Paulson
- ID48 Statement of David Scotland
- ID49 Statement of Alice Jefferies
- ID50 Statement of Harry Eve
- ID51 Statement of Clare Attard
- ID52 Statement of David Boothby
- ID53 Statement of Glen Travers
- ID54 Statement of Annie Cross
- ID55 Statement of Jane Paton
- ID56 Poem by Julia Paton
- ID57 Poem by Arthur Paton
- ID58 Statement of Emily Haywood
- ID59 Written submissions of Andrea Paton
- ID60 Ombudsman Report on The Sale of Wisley Airfield (1981)
- ID61 SPA Boundary map (DEFRA) and accompanying email 29.09.17
- ID62 Statement of Brian Austin
- ID63 Extract from 2014 Environmental Statement pp6.23-6.25
- ID64 Nitrogen pollution and Habitat Regulations Assessments by Andrew Baker (Habitat Regulations Assessments Journal: Issue 8)
- ID65 Extract from Effingham Neighbourhood Plan - views pp29, 30, 32
- ID66 Guildford Landscape Character Assessment (2007) – introduction pp1-3
- ID67 Guildford Landscape Character Assessment (2007) – solid and drift geology Figs 1, 2
- ID68 RIS Wisley Lane access through Wisley Airfield and Drawings No 1715/SK/085 and DLA.1772.L002.01
- ID69 Statement of Jan Lofthouse
- ID70 Suggested itinerary for site visit (Wisley Action Group)
- ID71 Photograph of traffic congestion on Guileshill Lane, Ockham
- ID72 Transport Technical Note 2: (WSP) 9 October 2017
- ID73 Drawing No DLA.1772.L002.02 – Yarne boundary vegetation heights

- ID74 Four photographs of Yarne and boundary hedge
- ID75 *Peter John Steer v SoSCLG, Catesby Estates Ltd & Amber Valley BC* [2017] EWHC 1456 (Admin) 22 June 2017
- ID76 Guildhall Borough Green Belt and Countryside Study Volume II - Addendum
- ID77 Wisley Airfield Community Trust – Outline business plan 2019-2035 (Oct 2017)
- ID78 Drawing No 1715/SK/088 – Yarne site boundary offset
- ID79 APP/Q1255/V/10/2138124 – Land south of Wallisdown Road, Poole: Secretary of state’s Decision (27 February 2012)
- ID80 APP/Q1255/V/10/2138124 – Land south of Wallisdown Road, Poole: Extract from Inspector’s Report (12 December 2011) pp131-142
- ID81 Dealing with air quality in HRA – a practitioner’s view by Kevin Honour and Rosalind Flavell (Habitat Regulations Assessments Journal: Issue 8)
- ID82 Extract from Improvement Programme for England’s Natura 2000 Sites (IPENS) pp30-34
- ID83 Email exchange: Helen Jefferies and Michael Green (SCC Highways), September 2017
- ID84 Table of dwelling completion rates (Horsleys Parish Councils)
- ID85 Highways England’s Note on conditions and planning obligation
- ID86 Update to ID83: additional emails from Martin Knowles (GBC) and Michael Green (SCC) September 2017
- ID87 Details of Pegasus Group
- ID88 CV of Mark Pratchett (MPCS)
- ID89 Surrey adopted planned housing requirement October 2017 (Update of CD2.15)
- ID90 Healthcare facilities local to Wisley Airfield (October 2017)
- ID91 Gypsy and Traveller pitches – Inquiry briefing note
- ID92 Site visit – proposed itinerary
- ID93 Draft Articles of Association – Wisley Airfield Community Trust
- ID94 Draft Implementation Agreement
- ID95 Draft Agreement under s106 (Version 12.10.2017)
- ID96 Suggested additions to itinerary by RHS Wisley
- ID97 Statement by Gemma Hayes
- ID98 Proposed planning conditions; Appellant version v2
- ID99 Draft Agreement under s106 (Version 16.10.2017)
- ID100 Note for conditions and obligations inquiry session (Herbert Smith Freehills LLP)
- ID101 Extract from Conservation of Habitats and Species Regs 2010/490 Part 6 s59/s68
- ID102 *Redhill Aerodrome Ltd v SoSCLG and others* [2014] EWCA Civ 1386
- ID103 Costs submissions on behalf of the Wisley Action Group & Ockham PC
- ID104 Application for costs on behalf of East and West Horsley Parish Councils
- ID105 Orchard neighbourhood Density Calculation (Herbert Smith Freehills LLP)
- ID106 Suggested conditions (Mr and Mrs Paton)
- ID107 Suggested additional condition
- ID108 Second written statement on behalf of the RHS and appendices
- ID109 Appellant’s response to Paton Note on conditions
- ID110 Conditions Plans
- ID111 Section 106 Plans
- ID112 Statement by the Libraries Service, Surrey County Council
- ID113 Photos of Plough Lane, Cobham
- ID114 Closing submissions on behalf of Wisley Action Group and Ockham PC
- ID115 Closing submissions on behalf of East and West Horsley Parish Councils
- ID116 Closing statement of Ripley Parish Council
- ID117 Closing submissions of Cobham Conservation and Heritage Trust
- ID118 Closing statement of Mr & Mrs Paton
- ID119 Closing note on behalf of Highways England
- ID120 Closing submissions on behalf of Guildford Borough Council
- ID121 Application for costs on behalf of Ripley Parish Council
- ID122 Proposed planning conditions; Agreed between the Appellant and Guildford Borough Council

- ID123 S106 Agreement between Guildford BC, Surrey CC and the Appellant
- ID124 S106 Agreement between Guildford BC and the Appellant
- ID125 Closing statement on behalf of the Appellant
- ID126 *Goodman Logistics Developments (UK) Ltd v SoSCLG and Slough Borough Council* [2017] EWHC 947 Admin 27 April 2017
- ID127 *R. (on the application of Jones) v Mansfield DC* [2003] EWCA Civ 1408 & [2004] Env. L.R. 21 16 October 2003
- ID128 *Jaytree (Rainton LLP) (and others) v SoSCLG, Harrogate BC, Hambleton BC (and others)* [2013] EWHC 2835 (Admin) 28 October 2013
- ID129 *Doncaster MBC v SoSCLG and AB* [2016] EWHC 2876 (Admin)
- ID130 *Basildon DC v SoS Environment & Others* CO/3315/2000 21 December 2000
- ID131 Application for costs on behalf of Cobham Conservation and Heritage Trust
- ID132 Costs submissions of Mr & Mrs Paton
- ID133 Response to costs applications on behalf of the Appellant

CONDITIONS PLANS (Full set of plans at ID110)

- A Drawing No 1715/P/001/P1 – Red line plan
- B Drawing No 1715/P/002/P2 – Land use parameter plan
- C Drawing No 1715/P/003/P2 – Landscape structure parameter plan
- D Drawing No 1715/P/004/P2 – Movement parameter plan
- E Drawing No 1715/P/005/P2 – Building height parameter plan
- F Drawing No 0934/SK/005/F – Proposed A3/ Ockham Interchange with modified site access
- G Drawing No 0934/SK/025/J – Proposed eastern site access arrangements
- H Drawing No 1715/SK/064A – DVOR DME Beacon safeguarding plan
- G Drawing No 1715/SK/709 – Design parameters (i)
- H Drawing No 1715/SK/710/RevB – Design parameters (ii)
- I Drawing No 1715/P/010/P1 – Site survey
- J Drawing No P1467_250117 – Potential area for s16 CROW designation
- K Drawing No 13228-BT2a – AIA Overview
- L Map 4 – SANG Phasing plan
- M Drawing No DLA.1772/L002/02 – On site highways works plan

SECTION 106 PLANS (Full set of plans at ID111)

- N Drawing No 0934 Fig PROW – Cycling improvements plan
- O Drawing No 0934/SK/005/F – Proposed A3/ Ockham Interchange with modified site access
- P Drawing No 0934/SK/020/C - Send roundabout
- Q Drawing No 0934/SK/053/C – Effingham Junction crossroads improvements
- R Drawing No 0934/SK/062/B – Burnt Common slips
- S Drawing No 1715/P/101/B – s106 red line plan
- T Drawing No 1715/P/001/P1 – Red line plan
- U Drawing No DLA.1730.L001.01 – Option 1 Rev A – Station Parade Horsley bus turning area
- V Drawing No 1715/P/103 – Education indicative dedication arrangement plan

CORE DOCUMENTS:

- CD1 Appeal documents (CD1.1 to CD1.14)
- CD2 Original planning application documents (CD2.1 to CD2.22)
- CD3 Addendum submission documents (CD3.1 to CD3.14)

- CD4 Further correspondence and other relevant information (CD4.1 to CD4.5)
- CD5 Key consultation responses and representations on planning application/ appeal (CD5.1 to CD5.21)
- CD6 Decision notice and committee report (CD6.1 to CD6.3)
- CD7 Legislation (CD7.1 to 7.4)
- CD8 Local planning policy and guidance (CD8.1 to CD8.60)
- CD9 National policy and national guidance (9.1 to CD9.13)
- CD10 Relevant appeals (CD10.1 to CD 10.19)
- CD11 Relevant case law (CD11.1 to CD 11.32)
- CD12 Statements of common ground (CD12.1 to CD12.3)
- CD13 Other documents: Wisley (CD13.1 to CD13.97)
 - (i) General (CD13.1 to CD13.3)
 - (ii) Emerging Lovelace NP documents (CD13.4 to CD13.5)
 - (iii) Ecology related (CD13.6 to CD13.30)
 - (iv) [No section (iv)]
 - (v) Highways (CD13.31 to CD13.42)
 - (vi) LVIA (CD13.43 to CD 13.48)
 - (vii) Heritage related (CD13.49 to CD13.61)
 - (viii) Additional documents (CD13.62 to CD13.97)
- CD14 Environmental statement
 - CD14.1 Addendum environmental statement (CD14.1.1 to CD14.1.91)
 - CD14.2 Addendum environmental statement non-technical summary

WITNESS DOCUMENTS:

Wisley Property Investments Limited

- WPI/1/1 Keith Bradley's proof of evidence
- WPI/1/2 Keith Bradley's appendices
- WPI/1/3 Keith Bradley's summary
- WPI/2/1 Michael Davies' proof of evidence
- WPI/2/2 Michael Davies' appendices
- WPI/2/3 Michael Davies' summary
- WPI/2/4 Michael Davies' rebuttal
- WPI/2/5 Michael Davies' appendices to rebuttal
- WPI/3/1 Richard Massey's proof of evidence
- WPI/3/2 Richard Massey's appendices
- WPI/3/3 Richard Massey's summary
- WPI/3/4 Richard Massey's rebuttal
- WPI/3/5 Richard Massey's appendices to rebuttal
- WPI/4/1 Colin McKay's proof of evidence
- WPI/4/2 Colin McKay's appendices
- WPI/4/3 Colin McKay's summary
- WPI/4/4 Colin McKay's rebuttal
- WPI/4/5 Colin McKay's appendices to rebuttal
- WPI/5/1 Rebecca Brookbank's proof of evidence
- WPI/5/2 Rebecca Brookbank's appendices
- WPI/5/3 Rebecca Brookbank's summary
- WPI/5/4 Rebecca Brookbank's rebuttal
- WPI/5/5 Rebecca Brookbank's appendices to rebuttal
- WPI/6/1 Bethan Tuckett-Jones' proof of evidence
- WPI/6/2 Bethan Tuckett-Jones' appendices
- WPI/6/3 Bethan Tuckett-Jones' summary
- WPI/6/4 Bethan Tuckett-Jones' rebuttal
- WPI/6/5 Bethan Tuckett-Jones' appendices to rebuttal
- WPI/7/1 Charles Collins' proof of evidence
- WPI/7/2 Charles Collins' appendices

WPI/7/3 Charles Collins' summary
WPI/7/4 Charles Collins' rebuttal
WPI/7/5 Charles Collins' appendices to rebuttal

Guildford Borough Council

GBC/1/1 Paul Sherman's proof of evidence
GBC/1/2 Paul Sherman's appendices
GBC/1/3 Paul Sherman's summary
GBC/1/4 Paul Sherman's rebuttal statement

Wisley Action Group & Ockham Parish Council

WAG/1/1 Colin Kiely's proof of evidence
WAG/1/2 Colin Kiely's appendices
WAG/1/3 Colin Kiely's summary
WAG/2/1 Andrew Baker's proof of evidence
WAG/2/2 Andrew Baker's appendices
WAG/2/3 Andrew Baker's summary
WAG/3/1 Duncan Laxen's proof of evidence
WAG/3/2 Duncan Laxen's appendices
WAG/3/3 Duncan Laxen's summary
WAG/3/4 Duncan Laxen's supplementary proof of evidence
WAG/3/5 Duncan Laxen's appendices to supplementary proof of evidence

East and West Horsley Parish Councils

EWHPC/1/1 Roger Miles' proof of evidence
EWHPC/1/2 Roger Miles' appendices
EWHPC/1/3 Roger Miles' summary
EWHPC/2/1 Keith Robinson's proof of evidence
EWHPC/2/2 Keith Robinson's appendices
EWHPC/2/3 Keith Robinson's summary

Ripley Parish Council

RPC/1/1 Ripley Parish Council's proof of evidence
RPC/1/2 Ripley Parish Council's appendices
RPC/2/1 Colin Cross' proof of evidence
RPC/2/2 Colin Cross' appendices
RPC/3/1 Suzie Powell-Cullingford's proof of evidence
RPC/4/1 Casper Hancock's proof of evidence
RPC/5/1 Lianne Mealing's proof of evidence

Cobham Conservation & Heritage Trust

CCHT/1/1 David Bellchamber's proof of evidence
CCHT/1/2 David Bellchamber's summary

Mr GB & Mrs A Paton

Paton/1/1 Mr GB & Mrs A Paton's joint proof of evidence
Paton/1/2 Mr GB & Mrs A Paton's joint rebuttal
Paton/1/3 Evidence in chief of Mrs A Paton

Highways England

HE/1/1 Paul Harwood's proof of evidence
HE/1/2 Paul Harwood's appendices
HE/1/3 Paul Harwood's rebuttal (Appellant)
HE/1/4 Paul Harwood's rebuttal (Guildford BC)
HE/1/5 Paul Harwood's rebuttal (Paton)

Annex 1: Ruling on the acceptability of the late submission of plans and data by the Appellant.

On the first day of the Inquiry, following opening submissions on behalf of the Appellant, GBC and the 7 Rule 6(6) parties, the advocate for WAG/OPC sought a ruling on the admissibility of a Transport Technical Note and appendices (ID4) submitted by the Appellant. This Technical Note set out a series of assessments concerning the proposed north-facing slip roads on the A3 at Burnt Common. They related to safety matters; to the proposed departure from TD22/06 (by not providing a 4th lane on the A3 between Burnt Common and Junction 10 with the M25); and an economic assessment.

WAG/ OPC objected to the submission of this Technical Note as the Burnt Common slips had only been introduced into the Appellant's proposals in the proofs of evidence and as there were air quality implications. WAG/ OPC were producing an air quality witnesses and the document would be prejudicial to the case put forward. The details of a further solution, unspecified off-site highway improvements, were not known. While planning permission was not being sought for the slip roads or off-site works, there were necessary to make the scheme acceptable in planning terms and form part of the s106 Agreement.

WAG/ OPC argued that it while there is a right for an Appellant to appeal a refused scheme, the appeal process is not the place to evolve a scheme. The latest changes to the scheme are not in the EIA and the SoS must be satisfied that there would be no adverse impact under the Habitats Regulations, including nitrogen deposition. The new access proposals would impact on the air quality evidence and it would not be possible for the WAG/ OPC witnesses to give evidence on these additional details at such short notice. The late evidence affected local highways issues

WAG/ OPC suggested that if the appeal were to proceed with the additional material this would be prejudicial to the case for the Rule 6(6) parties and there could be applications for costs. It was suggested that the best way forward would be for the appeal to consider the application as submitted; for the Appellant to withdraw the appeal; or for a fresh planning application to be submitted in due course.

The Appellant responded that this was not a fair account of the situation. What had changed was the nature of the off-site mitigation measures which had come about as a result of negotiations in respect of the s106 Agreement. Improvements to the A3 corridor had always been proposed; the planning application itself was completely unchanged. The key issue was whether there is sufficient information on which to judge the proposals.

WAG/ OPC had seen the proofs of evidence weeks ago but had not sought to submit rebuttal proofs. There had been no complaint from WAG/ OPC concerning the introduction of the Burnt Common slips until very recently. The proofs of evidence were the proper place for the evidence. HE had made it clear that this was coming forward. WAG/ OPC were not producing a highways witness and air quality only concerned a small element of the Technical Note. WAG/ OPC had not produced any modelling of their own. The data on transport was the same as in the proof of evidence; the only change was an update to the air quality analysis to match the transport data.

GBC supported the Appellant's position. Adjournment of the Inquiry would be prejudicial to all parties. Negotiations between the Appellant and HE were to continue. The Technical Note justifies a departure to the TD22/06 standard; the other changes were minimal. There was not a frightening amount of new material.

HE confirmed that there are ongoing discussions with the Appellant, but commented that the timeframe, if the negotiations were to conclude during the Inquiry, would be very challenging.

I adjourned the Inquiry early on the first day to enable the parties to get together to discuss the timetabling implications of continuing the Inquiry. The following day my ruling was that the Technical Note could be put forward as evidence at the Inquiry. The north-facing slip roads onto the A3 at Burnt Common are not a new idea; they are proposed in the eLP. Much of the new evidence relates to a justification for not widening the A3 to 4 lanes in each direction which does not impact on the appeal site although it clearly affects the acceptability of the works to the SRN for HE. The new air quality evidence was not unacceptably great; the only Rule 6(6) air quality witness had not carried out any of his own modelling so did not have to carry out any time consuming re-modelling work. I amended the running order of the Inquiry such that WAG/ OPC, who were due to commence giving evidence on the second day of the Inquiry, did not commence giving evidence until the second week to allow further time to assess the new evidence.

Annex 2: Ruling on the acceptability of a late statement on behalf of the Royal Horticultural Society, Wisley.

The Appellant completed giving evidence in support of the appeal in the afternoon of Tuesday 17 October 2017. The following morning, at the commencement of the round table sessions on conditions and obligations, the representative of RHS Wisley sought to submit an additional document (ID108) which is described as the second written statement on behalf of the RHS in support of WAG and in response to the evidence of Colin McKay; matters raised concerning the RIS scheme; and the evidence of Michael Davies, all on behalf of the Appellant. The statement included comments on the Burnt Common slips, the RHS planning permission, the potential conflict between the appeal scheme and the RIS scheme and visual impacts. The attachments included extracts from the Transport Assessment for RHS Wisley (May 2016) and a plan showing a suggested area to be safeguarded to provide access to RHS Wisley.

At the start of the Inquiry the RHS had made a statement to the effect that the organisation largely supported the position of WAG/OPC and was happy for that party to comment on the appeal. RHS had expected the announcement in respect of the A3/ M25 to pre-date the Inquiry, but the announcement was still awaited. Highways matters raised at the Inquiry would affect the RHS and so it proposed to submit further comments.

These comments, however, did not arrive until very late, when all the evidence had been heard. As by this time the Appellant had completed giving evidence, I considered that it was unreasonable for the Inquiry to be expected to consider further new evidence. Consideration of this information, including traffic generation data, would have been time consuming and may have necessitated the Inquiry having to adjourn and resume at a much later date, when all the numerous parties were available. It would, in all probability, have involved recalling two witnesses. This would have been extremely prejudicial to the Appellant. I therefore ruled that the new evidence could not reasonably be accepted. In making that ruling, however, I accepted that the evidence in Section 3 of the statement could be put forward as this was pertinent to the session on conditions and obligations and tied in with two conditions suggested by HE.

Annex 3: List of issues agreed at the Pre-Inquiry Meeting

- The effect of the proposals on the openness of the Green Belt and on the purposes of including land in the Green Belt;
- Whether GBC can demonstrate a five-year housing land supply and the implications for this on local and national planning policy;
- The effect of the proposals on the TBHSPA;
- The effect of the proposed development on the safe and efficient operation of the strategic and local road networks;
- Whether the proposals would deliver the required transport sustainability measures necessary to enable sustainable travel choices;
- Whether the proposals would deliver an appropriate quantity and mix of affordable housing;
- Whether the loss of a safeguarded waste site is outweighed by other considerations;
- The effect of the proposed development on the character and the appearance of the area;
- The effect of the proposals on the setting of Yarne, a Grade II listed building, and other nearby heritage assets;
- Whether the proposals would give rise to an unacceptable air quality impact on local receptors (human and wildlife);
- Whether the proposals make adequate provision for community and other facilities including education, police, health and libraries; and
- Whether the other material considerations advanced in support of the development are sufficient to clearly outweigh any harm to the Green Belt, and any other harm, such as to amount to the very special circumstances necessary to justify the development.

Annex 4: Suggested conditions.

1. Submission of reserved matters (layout, landscaping, appearance, scale)

Details of the appearance, accesses within the site, landscaping, layout and scale (hereafter called 'the reserved matters') shall be submitted to and approved in writing by the Local Planning Authority before each relevant development phase begins and the development shall be carried out as approved.

2. Implementation

The development hereby permitted shall be implemented not later than 3 years after the first reserved matters consent.

3. *Three-year planning permission*

The first reserved matters application shall be made within 3 years of the date of this permission. The last reserved matters application shall be made within 15 years of the date of this permission.

4. *Approved plans (Parameters) Approved access drawings*

The development shall be carried out in accordance with the following plans and associated documents:

Red Line Plan (1715/P/001/P1) - Site Survey (1715/P/010/P1) - Land Use Parameter Plan (1715/P/002/P2) - Movement Parameter Plan (1715/P/004/P2) - Building Height Parameter Plan (1715/P/005 P2) - Design Parameters (1715_SK_710 Rev B & 1715_SK_709) - Proposed Eastern Site Access Arrangements (0934-SK-025 J) - Proposed A3 / Ockham Interchange with modified site access (0934-SK-005-F) - Landscape Structure Parameter Plan 1715/P/003/P2).

5. *Submission of a Construction Management Plan including master phasing, location of Construction Access Route (CAR)/ construction compound and timing of construction.*

Before the development of the first sub-phase hereby permitted is commenced a Construction and Environmental Management Plan (CEMP) shall have been submitted to and approved in writing by the Local Planning Authority (LPA). To include details of: location of Construction Access Route (CAR), disposal and handling of contaminated waste, parking of vehicles of site personnel, operatives and visitors; loading and unloading of plant and materials; storage of plant and materials; programme of works (including measures for traffic management); provision of boundary hoarding behind any visibility zones; before and after surveys of the surrounding residential roads and provide an undertaking to rectify any damage under section 59 of the Highways Act 1980; a scheme specifying arrangements for deliveries to and removals from the site, to include details of specification of types of vehicles and hours of operation; design of delivery areas; specification for lorry parking and turning spaces; the provision of facilities to ensure all reasonable efforts are made to keep the highway clean. Construction of the development shall not be carried out other than in accordance with the approved construction management plan. The plan shall be updated and submitted for approval by the LPA for each sub-phase.

6. *Detailed sub phasing within master phase strategy / Non Prejudice to RIS*

Prior to the submission of the first reserved matters application following consultation with Highways England, a master and sub-phasing plan shall be prepared and submitted to and approved in writing by the Local Planning Authority. The phasing plan shall include details of four Master Phases, sub-phases and SANG phases including the intended numbers of market and affordable dwellings for each sub-phase of development together with general locations and phasing of key infrastructure, including surface water drainage, green infrastructure, structural landscaping, community facilities and access for pedestrians, cyclists, buses and people in vehicles. The master and sub-phasing plan shall have regard to and shall not prejudice the Roads Investment Strategy Scheme for the Improvement of the M25 Junction 10. The development shall be carried out in accordance with the approved master and sub-phasing plan. Any variations to the master and sub-phasing plan shall be submitted to the LPA for approval in writing. Any variations made before 1st January 2023 shall be prepared in consultation with Highways England.

7. Construction Detailing of the Tump

As part of the reserved matters application for any SANG sub-phase of the development which incorporates the tump and associated landform features (shown as Strategic Earth Mounds on the Landscape Structure Parameter Plan 1715/P/003/P2), full details of the proposed construction detailing for those features shall be submitted to the Local Planning Authority for approval in writing. The development shall be carried out in accordance with the approved details.

8. Site Waste Management Plan

Prior to the commencement of each sub-phase a Site Waste Management Plan shall be submitted to and approved by the Local Planning Authority. The sub phase shall be developed in accordance with the approved site waste management plan.

9. Suitable Alternative Natural Greenspace (SANG) sub-phasing strategy

Prior to the commencement of the development of SANG, a SANG sub-phasing strategy shall be submitted to and approved in writing by the Local Planning Authority. The sub-phasing strategy shall outline the proposed sequencing of the delivery of SANG, the delivery of the SANG car park and access road to it and approach to the structural landscaping. The SANG sub-phasing strategy shall apply to the land indicated as being within SANG phases 1 to 4 by Map 11 of the Information for HRA dated November 2015 which is Appendix 8.14 of the Environmental Statement. The development shall thereafter be carried out in accordance with the sub-phasing strategy unless otherwise agreed in writing with the LPA.

10. SANG Construction and Environmental Management Plan

Prior to the commencement of the first sub-phase of SANG, a SANG Construction and Environmental Management Plan (SCEMP) shall be submitted to and approved in writing by the Local Planning Authority. It shall include details of the proposed timing, access, routing, compound and any storage associated with the delivery of the proposed SANG. Construction of the development shall not be carried out other than in accordance with the approved SCEMP. The plan shall be updated and submitted for approval by the LPA for each SANG sub-phase.

11. SANG Implementation Strategy and Landscape Ecological Management Plan

As part of the reserved matters application for the SANG a SANG Implementation Strategy shall be submitted to the Local Planning Authority for approval in writing. The SANG shall be implemented in accordance with the approved Strategy. Prior to the commencement of the relevant SANG sub-phase, a SANG Landscape Ecological Management Plan (SLEMP) shall be submitted to and approved by the LPA. The SLEMP shall be in general accordance with the approved SANG Implementation Strategy and the SANG – Outline Habitat Creation and Management Plan P 14/67-3D dated November 2015 and the Letter of Explanation, Revisions to SANG Design dated February 2016.

12. SANG Car Parking

Prior to the first occupation of any of the dwellings hereby permitted, car parking to serve visitors to the SANG shall be delivered in accordance with the SANG – Outline Habitat Creation and Management Plan P 14/67-3D dated November 2015, and provision for car parking shall thereafter be retained. Any subsequent amendments to the location of the SANG car parking shall be submitted to and agreed in writing by the Local Planning Authority.

13. Master Phase Design Framework

Prior to the submission of the first reserved matters application for each Master Phase containing housing or infrastructure, a Master Phase Design Framework for that phase shall be submitted to and approved in writing by the Local Planning Authority. The Master Phase Design Framework shall include:

- General principles for determining the design, form, heights and architectural features of buildings
- General principles of the hierarchy for roads and public spaces
- General principles for the design of the public realm including street furniture and lighting
- General principles for the laying out of the green infrastructure, including structural planting and open spaces.

Subsequent reserved matters applications shall have regard to the principles established by the approved Master Phase Design Framework.

14. Detailed Masterplan and design framework incorporating public realm, architecture, boundary treatment, landscape and public art

Prior to the submission of the first reserved matters application for each sub-phase of the development, a document setting out the Sub-Phase Design Framework for that sub-phase shall be submitted to and approved in writing by the Local Planning Authority. No sub-phase of the development shall be commenced unless the Design Framework for that sub-phase has been approved in writing by the LPA. The Design Framework for each phase shall include the following matters relevant to that sub-phase:

- The principles for determining the design, form, heights and general arrangement of external architectural features of buildings including the roofs, chimneys, porches and fenestration;
- The principles of the hierarchy for roads and public spaces including for each sub-phase the proposed approach to cycle and car parking and roads to be adopted;
- The principles for determining the colour, texture and quality of external materials and facings for the walls and roofing of buildings and structures;
- The principles for the design of the public realm to include the colour, texture and quality of surfacing of footpaths, cycleways, streets, parking areas, courtyards and other shared surfaces;
- The principles for the design and location of any LEAPs/ LAPs/ NEAPs ensuring adequate provision site-wide;
- The principles for the design and layout of street furniture and level of external illumination;
- The principles for the laying out of the green infrastructure including the access, location and general arrangements of any multi use games area within the phase, sports pitches, the children's play areas and community gardens, foraging or allotments;
- The principles to ensure that there is appropriate access to buildings and public spaces for the disabled and physically impaired; and
- For the relevant phase principles for the laying out of structural planting within 20m of the site boundary with the Grade II listed building Yarne.

The development shall be carried out in accordance with the approved Sub-Phase Design Framework for each sub-phase of the development.

15. Design Masterplan and framework (site-wide), incorporating a Design Framework– having regard to the Design & Access Statement and Neighbourhood 4 – Restriction on Design Parameters (with the Reserved Matters for each phase/ alternative Design Code by Reserved Matter)

The development hereby permitted shall accord with the Restriction on Design Parameters indicated by Plan Reference 1715_SK_710 Rev B.

16. Restriction on building heights, scale and massing in areas marked on Neighbourhood 4 Design Guide Parameters – Drawing No. 1745/SK/709 to protect the setting of the Grade II Listed Building Yarne and the character of Ockham Lane

Notwithstanding the details shown on Parameter Plan (1715_SK_710 Rev):

(a) The development hereby permitted shall accord with the Restriction on Design Parameters indicated by Plan Reference 1715_SK_710 Rev B and Plan Reference 1715_SK_709.

(b) The relevant reserved matters applications made pursuant to condition 1 shall ensure that no elevation of any building shall be within 20m of the site boundary with the Grade II Listed Building Yarne.

17. Village Centre Implementation Plan and Design Framework

Before the occupation of 400 dwellings, or as part of any reserved matters application seeking approval for retail A1-A5 or offices B1(a) commercial employment, a Village Centre Implementation Plan will be submitted to the Local Planning Authority for approval in writing. This shall include the composition of the Village Centre and associated car parking spaces, and proposed timing of the delivery, provision of serviced land and/or property to enable the provision of retail, leisure and employment uses, any relevant LAPs, LEAPs or NEAPs, and the provision of accommodation space for Community Police Support Officers. This shall also make provision for an ambulance parking space, teleworking facility and electric car charging points. The relevant sub-phase incorporating the Village Centre shall not be commenced unless the Village Centre Implementation Plan has been approved in writing by the LPA. No more than 1,000 dwellings shall be occupied until all of the measures described in the Village Centre Implementation Plan have been delivered.

18. Lighting strategy, by sub phase

Prior to the commencement of each sub-phase of the development, a strategy containing details of the proposed lighting for all primary and secondary route highways, cycleways and footpaths for that sub-phase shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved strategy prior to the relevant highways, cycleways and footpaths being brought into use and shall thereafter be retained.

19. Public realm / public art (site wide)

Prior to the submission of any reserved matters application for residential or commercial development a Public Art and Public Realm Strategy detailing the approach to public art and public realm across the site shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall include details of the commissioning budget for the measures described in it and measures for applying the Strategy to the sub-phases of the development. The public realm and art measures implemented by sub-phase shall be in general accordance with approved Public Art and Public Realm Strategy.

20. Public realm / public art implementation plan (by phase/ Reserved Matters parcel)

The first reserved matters application for each sub-phase of the development which includes any residential or commercial floorspace shall include a strategy containing details of the proposed public art and public realm measures for that sub-phase. The Strategy shall be submitted to the Local Planning Authority for approval in writing. The strategy shall be in accordance with the approved site-wide Public Art and Public Realm Strategy. Each sub-phase of the development shall be carried out in accordance with the approved strategy for that sub-phase.

21. Provision of serviced land and/or property for B1 uses

Prior to the submission of reserved matters for each sub-phase of the development which includes any employment or commercial floorspace (Use Classes B1, B2 and B8) a Commercial Proposition document shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of the location and provision of serviced land, including a timetable for delivery, and/or property to enable the delivery of B1, B2 and B8 uses in areas outside of the Village Centre in the employment area shown on the approved parameter plans. No more than 1,500 dwellings shall be occupied before the employment and commercial floorspace hereby approved has been completed.

22. Detailed tree survey, Arboricultural Method Statement

Prior to the commencement of each sub-phase of the development, an Arboricultural Method Statement (AMS), tree survey and tree protection plan (based on plan and AIA statement ref: 13228-BT2 A) for that sub-phase shall be submitted to and approved in writing by the LPA. Each sub-phase of the development shall be implemented in accordance with the approved AMS, tree survey and tree protection plan.

23. Landscape detailing and management by phase

As part of the reserved matters application for each sub-phase of the non-SANG development a Landscape Management Plan (LMP) for non-SANG areas within that sub-phase shall be submitted to the Local Planning Authority for approval in writing. The LMP shall include details of the maintenance provisions for the structural landscaping. The sub-phase shall be developed in accordance with the approved LMP.

24. Replace planting within 5 years, post implementation of phase

Any tree or vegetation planting (with the exception of structural planting identified by the Master Phase Design Framework) which has died, become damaged or diseased within 5 years of the implementation of the approved landscaping details, by sub-phase, shall be removed and replaced with a tree or plant of the same size and species as that which is to be removed.

25. Sports Pavilion / Multi Use Games Area (MUGA)

As part of the reserved matters application for any sub-phase of the development which includes the provision of serviced land for a Sports Pavilion or Multi Use Games Area (MUGA) details of these facilities shall be submitted to the Local Planning Authority for approval in writing. The relevant sub-phases which should include a MUGA are those which include:

- The primary or All Through school including sports pitches; or
- The sports pavilion / sports pitches

26. Detailed energy and sustainability strategy (site-wide)

As part of the reserved matters application for the first sub-phase containing housing or commercial or community buildings a site wide Energy and Sustainability Strategy shall be submitted to the LPA for its written approval. The Strategy shall outline the intended sustainable design and construction practice, notably the efficient use of materials, energy and water, and details of waste minimisation and renewable energy generation. All subsequent sub-phases shall be delivered in accordance with the approved site-wide Strategy unless otherwise agreed with the LPA.

27. Countryside & Rights of Way Section 16 Designation

No dwelling shall be occupied unless the land edged red on the EPR plan entitled "Potential area of Section 16 CRoW designation" dated January 2017 has been designated pursuant to section 16 of the Countryside and Rights of Way Act 2000 as confirmed in writing to the Local Planning Authority, or such alternative measures as have been approved in writing by the LPA have been implemented.

28. PROW strategy, including any relevant stopping up and diversions

As part of the reserved matters application for each sub-phase containing an existing public right of way, a Public Rights of Way Strategy detailing any proposed alterations of any public right of way and/or proposed improvements to any existing public right of way within that sub-phase shall be submitted to the Local Planning Authority for approval in writing. The public rights of way for each sub-phase shall be treated in accordance with the approved Public Rights of Way Strategy for that sub-phase.

29. Site Access / Roads/ Pathways

The site accesses, roads and pathways for each sub-phase of the development shall be constructed in accordance with the approved plans at reserved matters, based on the Movement Parameter Plan (1715/P/004/P2), including interim arrangements for bus services and the construction of a Pegasus crossing on the Ridgeway Avenue (main spine road) with Bridleway 544 (Hyde Lane).

30. Travel Plan Framework and Travel Plan

Prior to the commencement of the first sub-phase of the development, a Travel Plan Framework shall be submitted to and approved in writing by the Local Planning Authority. The reserved matters application for each subsequent sub-phase of the development shall include a Travel Plan for that sub-phase, in accordance with the aims and objectives of the National Planning Policy Framework. The approved Travel Plan for each sub-phase of the development shall be implemented prior to first occupation of any dwelling in that sub-phase and shall thereafter be complied with.

31. On-site Public Transport Infrastructure

Prior to the occupation of each sub-phase of the development, a scheme for the provision of the relevant on-site sustainable public transport infrastructure for that sub-phase shall be submitted to and approved in writing by the LPA. The development shall be implemented in accordance with the approved scheme.

32. Implement required site access, parking

Prior to the occupation of each dwelling hereby permitted, the vehicular accesses, driveways, parking and turning areas serving that dwelling shall be constructed in accordance with the approved plans.

33. Site Specific Highways Adoption and Works Programme

As part of a wider adoption and works programme prior to the 400th occupation the developer shall enter into a highways agreement with Surrey County Council to provide for works to upgrade the existing highway in accordance with the On-site Highways Works Plan (Plan Reference: DLA.1772.L002.02). Details of the highways agreement shall be agreed in writing with the Local Planning Authority.

34. Old Lane Access

Prior to any residential properties being accessed by private car from Old Lane the works to restrict southbound traffic on Old Lane as described in 0934/SK/017 Rev Q shall be completed.

35. Traffic Management Measure to A3 to reduce / control speed

No more than 200 dwellings in the development hereby permitted shall be occupied until a Traffic Management Measure relating to speed restrictions and/or construction works to the A3 between Ockham Interchange and M25 Junction 10 (or suitable alternative to be agreed in writing) has been submitted to and approved in writing by the Local Planning Authority. The Traffic Management Measure shall be prepared in consultation with Highways England.

36. M25 Junction 10 improvement works or RIS

No more than 500 dwellings in the development hereby permitted shall be occupied until either the works in accordance with plan reference. 0934/SK/017 Rev Q have been completed or M25 Junction 10 improvements materially in accordance with either Option 9 or Option 14 of the Roads Investment Strategy Scheme for the Improvement of the M25 Junction 10 (5th December 2016) or an alternative option containing materially equivalent mitigation effects have been implemented by Highways England.

37. Master drainage strategy (site wide)

Prior to the submission of the first reserved matters application, a Master Surface Water Drainage Strategy (in accordance with the NPPF Flood Risk Assessment including Drainage Strategy dated November 2014 (WSP) submitted as part of the Environmental Statement) covering the whole site shall be submitted to the Local Planning Authority for approval in writing. All subsequent sub-phases shall be delivered and maintained in accordance with the approved Master Surface Water Drainage Strategy.

38. Ground Water Protection Strategy

Prior to the commencement of the first sub-phase of the development, a Ground Water Protection Strategy shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken and maintained in accordance with the approved strategy.

39. By phase drainage and SuDs strategy

As part of the reserved matters application for each sub-phase of the development, a proposed Surface Water Drainage and SuDs Strategy for that sub-phase shall be submitted to the Local Planning Authority for approval in writing. The Strategy shall outline details of ongoing maintenance and shall accord with the Master Surface Water Drainage Strategy. The sub-phase shall be delivered in accordance with the approved Surface Water Drainage & SuDs Strategy for that sub-phase.

40. Waste Water Drainage

Prior to the commencement of the development (excluding SANG implementation), full details of a drainage scheme for the provision of Waste Water Drainage, including any off-site drainage and treatment infrastructure and funding methods, shall be submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be prepared in consultation with Thames Water and shall include details of phasing of the occupation of the development and outline the implementation measures required for each sub-phase of the development.

41. Drainage Verification Plan

Prior to the commencement of the sub-phase of the development that includes the construction of the new bridge over Stratford Brook, a Drainage Verification Plan including details of the 8m buffer zone to the Stratford Brook shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved Plan.

42. Contamination land report (site-wide)

Unless otherwise agreed in writing by the Local Planning Authority, no development within each sub-phase shall commence (other than that required to be carried out as part of an approved scheme of remediation) until steps (I) to (III) below have been complied with where required.

(I) Site Characterisation

An Investigation and Risk Assessment, to support the assessment provided with the planning application (Geo-Environmental Risk Assessment (2013) & Phase 2 Geo-Environmental Desk Study (2006)) must be completed in accordance with a scheme to be agreed in writing with the LPA to assess the nature and extent of any on-site contamination, whether or not it originates on the site. The Investigation and Risk Assessment must be undertaken by competent persons and a written report of the findings must be submitted to and approved in writing by the LPA and must include:

- a) a survey of the extent, scale and nature of contamination
- b) an assessment of the potential risks to human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, and archeological sites and
- c) an appraisal of remedial options, and proposal of the preferred option(s)

The site characterisation must include a detailed quantitative risk assessment and must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

(II) Submission of Remediation Scheme

A detailed Remediation Scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall be submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must 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.

(III) Implementation of Approved Remediation Scheme

The approved Remediation Scheme works must be carried out in accordance with the approved details prior to the commencement of development, other than development required to carry out the remediation, unless otherwise agreed in writing by the LPA. The LPA shall be given two weeks written notification of commencement of the Remediation Scheme works. Following completion of measures identified in the approved remediation scheme, a Verification Report that demonstrates the effectiveness of the remediation carried out must be produced, and shall be submitted to and agreed in writing by the LPA. This shall also include a Long Term Monitoring and Maintenance Plan for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the Verification Report, and for the reporting of this to the LPA.

43. Unexpected contamination

If, during development, contamination not previously identified is found to be present at the site then no further development within that relevant sub-phase shall be carried out, unless otherwise agreed in writing by the Local Planning Authority, until the developer has submitted to and received written approval from the LPA for an amendment to the Remediation Scheme detailing how any unsuspected contamination is to be dealt with.

44. Programme of works - Archaeology, including site investigation

As part of the first reserved matters application, an Archaeological Report - Written Scheme of Investigation (in accordance with the Heritage Desk Based Assessment, October 2013 (Cotswold Archaeology) submitted as part of the Environmental Statement) covering the whole site shall be submitted to the Local Planning Authority for approval in writing. No development shall take place within a sub-phase until a programme of archaeological work for that sub-phase has been implemented in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the LPA.

45. Ecological Mitigation Strategy Report (site-wide)

Prior to the submission of the first reserved matters application an Ecological Mitigation & Biodiversity Strategy Report covering the whole site (in accordance with the Ecology Report and Appraisal July 2014 (RPS) and Ecological Phasing Mitigation Plan (EPR) November 2015 included within the Environmental Statement) shall be submitted to and approved by the LPA. The first reserved matters application for each sub-phase submitted thereafter shall include the results of biodiversity surveys carried out for that sub-phase, and a plan for biodiversity mitigation and enhancement in accordance with the objectives of the approved Ecological Mitigation & Biodiversity Strategy. The plan for biodiversity mitigation and enhancement shall be submitted to the LPA for approval in writing. The development shall thereafter be undertaken in accordance with the approved biodiversity mitigation and enhancement measures.

46. Noise report

As part of the reserved matters application for each sub-phase or SANG sub-phase located all or in-part within 300m of the edge of highway of the A3 and within 50m of the edge of the highway on Ockham Lane and Old Lane, a Noise Survey and Mitigation Report shall be submitted to the Local Planning Authority (in accordance with Chapter 12 of the Environmental Statement) for approval in writing. Any mitigation measures for each sub-phase approved by the LPA pursuant to this condition shall be delivered

prior to the occupation of any dwellings within that sub-phase. Any mitigation measures which are outside a private dwelling shall be maintained thereafter.

47. Detailed utilities connection strategy, including gas, electricity sub-stations and high-speed broadband connections

As part of the reserved matters application for each sub-phase of the development, a Detailed Utilities Strategy for that sub-phase which shall have regard to the whole site shall be submitted to the Local Planning Authority to be approved in writing. The Detailed Utilities Strategy shall outline the required utilities infrastructure and guide the location of gas and electricity facilities for that sub-phase. Any communication and broadband connections for each sub-phase approved in writing by the Local Planning Authority pursuant to this condition shall be provided to serve the dwellings of the sub-phase prior to the occupation of any dwellings within that sub-phase.

48. The Beacon (DVOR/ DME)

Until such time as its relocation/ decommissioning, no development shall take place within a 500m radius of the NATS DVOR/DME installation, as shown on the DVOR/ DME Beacon Safeguarding Plan (1715/SK/064/A), unless there has been consultation with NATS and the written consent of the Local Planning Authority has been provided.

49. The Beacon (DVOR/ DME)

Until such time as its relocation/ decommissioning, the development shall not exceed the height limits defined in by the DVOR/DME Beacon Safeguarding Plan (1715/SK/064/A) and the Local Planning Authority and NATS shall be notified before any development takes place that will be within 1m of the height limits imposed.

50. Employment & Skills Strategy

Prior to the commencement of the development, a site-wide Employment & Skills Strategy shall be submitted to and approved in writing by the Local Planning Authority. The Strategy shall outline how the construction process will maximise the opportunity to employ local persons (defined as people who reside in the Borough or adjacent Local Authority area). The Employment & Skills Strategy shall be updated at the time of the commencement of each sub-phase for submission to the LPA for approval in writing, with the purpose of providing a Strategy for that relevant phase. The development shall be implemented in accordance with the approved Strategy.

51. Soils

As part of the Construction Management Plan (CEMP) an appropriately experienced soil specialist shall advise on, and supervise, soil handling, including identifying when soils are dry enough to be handled and how to make the best use of the different soils on site. A Report on soil management shall be submitted to and approved in writing by the Local Planning Authority prior to the completion of each sub-phase of the development (including SANG sub phases). Regard shall be had to the detailed Defra guidance with respect to the Construction Code of Practice for the Sustainable Use of Soils on Construction Sites (including accompanying Toolbox Talks). The development shall be implemented in accordance with the approved Report.



Ministry of Housing, Communities & Local Government

www.gov.uk/mhclg

RIGHT TO CHALLENGE THE DECISION IN THE HIGH COURT

These notes are provided for guidance only and apply only to challenges under the legislation specified. If you require further advice on making any High Court challenge, or making an application for Judicial Review, you should consult a solicitor or other advisor or contact the Crown Office at the Royal Courts of Justice, Queens Bench Division, Strand, London, WC2 2LL (0207 947 6000).

The attached decision is final unless it is successfully challenged in the Courts. The Secretary of State cannot amend or interpret the decision. It may be redetermined by the Secretary of State only if the decision is quashed by the Courts. However, if it is redetermined, it does not necessarily follow that the original decision will be reversed.

SECTION 1: PLANNING APPEALS AND CALLED-IN PLANNING APPLICATIONS

The decision may be challenged by making an application for permission to the High Court under section 288 of the Town and Country Planning Act 1990 (the TCP Act).

Challenges under Section 288 of the TCP Act

With the permission of the High Court under section 288 of the TCP Act, decisions on called-in applications under section 77 of the TCP Act (planning), appeals under section 78 (planning) may be challenged. Any person aggrieved by the decision may question the validity of the decision on the grounds that it is not within the powers of the Act or that any of the relevant requirements have not been complied with in relation to the decision. An application for leave under this section must be made within six weeks from the day after the date of the decision.

SECTION 2: ENFORCEMENT APPEALS

Challenges under Section 289 of the TCP Act

Decisions on recovered enforcement appeals under all grounds can be challenged under section 289 of the TCP Act. To challenge the enforcement decision, permission must first be obtained from the Court. If the Court does not consider that there is an arguable case, it may refuse permission. Application for leave to make a challenge must be received by the Administrative Court within 28 days of the decision, unless the Court extends this period.

SECTION 3: AWARDS OF COSTS

A challenge to the decision on an application for an award of costs which is connected with a decision under section 77 or 78 of the TCP Act can be made under section 288 of the TCP Act if permission of the High Court is granted.

SECTION 4: INSPECTION OF DOCUMENTS

Where an inquiry or hearing has been held any person who is entitled to be notified of the decision has a statutory right to view the documents, photographs and plans listed in the appendix to the Inspector's report of the inquiry or hearing within 6 weeks of the day after the date of the decision. If you are such a person and you wish to view the documents you should get in touch with the office at the address from which the decision was issued, as shown on the letterhead on the decision letter, quoting the reference number and stating the day and time you wish to visit. At least 3 days notice should be given, if possible.



Ministry of Housing,
Communities &
Local Government

Mr Jim Morris
Ripley Parish Council
4 Rio House
High Street
Ripley
Surrey GU23 6AE

Our ref: APP/Y3615/W/16/3159894

18 June 2018

Dear Sir

**LOCAL GOVERNMENT ACT 1972 – SECTION 250(5)
TOWN AND COUNTRY PLANNING ACT 1990 – SECTIONS 78 AND 320
APPEAL BY WISLEY PROPERTY INVESTMENTS LIMITED
LAND AT WISLEY AIRFIELD, HATCH LANE, OCKHAM GU23 6NU
APPLICATION: REF: 15/P/00012**

APPLICATION FOR AN AWARD OF COSTS

1. I am directed by the Secretary of State to refer to the enclosed letter notifying you of his decision on the above named appeal.
2. This letter deals with the application by Ripley Parish Council for a full award of costs against Wisley Property Investments Ltd. The application as submitted and the response of Wisley Property Investments Ltd are recorded in the Inspector's Costs Report, a copy of which is enclosed.
3. In planning inquiries, the parties are normally expected to meet their own expenses, and costs are awarded only on grounds of unreasonable behaviour resulting in unnecessary or wasted expense in the appeal process. The application for costs has been considered in the light of the Planning Practice Guidance, the Inspector's Costs Report, the parties' submissions on costs, the inquiry papers and all the relevant circumstances.
4. The Inspector's conclusions are stated at CR13-24. He recommended that your application for a full award of costs be refused.
5. Having considered all the available evidence, and having particular regard to the Planning Practice Guidance, the Secretary of State agrees with the Inspector's conclusions in his report and accepts his recommendation. Accordingly, he has decided that a full award of costs against Wisley Property Investments Ltd, on

Ministry of Housing, Communities & Local Government
Jean Nowak, Decision Officer
Planning Casework Unit
3rd Floor, Fry Building
2 Marsham Street
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grounds of 'unreasonable behaviour', is not justified in the particular circumstances. The application is therefore refused.

6. This decision on your application for an award of costs can be challenged under section 288 of the Town and Country Planning Act 1990 if permission of the High Court is granted. The procedure to follow is identical to that for challenging the substantive decision on this case and any such application must be made within six weeks from the day after the date of the Costs decision.
7. A copy of this letter has been sent to Wisley Property Investments Ltd.

Yours faithfully

Jean Nowak

Authorised by the Secretary of State to sign in that behalf



Ministry of Housing,
Communities &
Local Government

Councillor Paul Spooner
Leader of the Council
Guildford Borough Council
Millmead House
Millmead
Guildford
Surrey
GU2 4BB

Rt Hon James Brokenshire MP

*Secretary of State for Housing, Communities and Local
Government*

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Dear Paul,

Guildford Local Plan

I am writing with regard to a request I received to intervene in Guildford Borough Council's Local Plan (the "Plan") due to objections to the development of the former Wisley Airfield site. Before considering this request in detail, I wanted to allow the examination to run its course, and the Inspector given the opportunity to issue his final report.

That report has now been issued, and I have now had time to give consideration to the intervention request against the recommendations and findings of the Inspector. I am satisfied that the Inspector has taken the issues raised into account when considering the allocation of the former Wisley Airfield site for development, and that the Plan provides appropriate mitigation of the impacts of development on this site.

I am pleased that the plan contains a requirement for a masterplan to be prepared for the Wisley site before planning applications are submitted and I want to ensure that the local community is engaged in this process in detail so any outstanding concerns can be addressed.

In view of the issues raised over the Wisley site, I will consider whether to call in individual planning applications and/or recover appeals when these come forward, with each planning case being determined on its individual merits.

It is now for Guildford Borough Council to vote on the Plan's adoption. I understand that Full Council is considering this matter on 25 April.

I have copied this letter to James Whiteman, Managing Director.

Yours sincerely,



RT HON JAMES BROKENSHERE MP

**CLOSING STATEMENT ON BEHALF OF
THE APPELLANT**

1. Introduction

1. This appeal seeks planning permission for a new sustainable settlement of up to 2,068 dwellings¹ (of which 40% are to be affordable housing) together with community provision, nursery provision, a primary school, a secondary school, a health facility, a local centre, an employment area and sports and recreational facilities including an area of SANG² (“**the Appeal Scheme**”) on land at Wisley Airfield, Hatch Lane, Ockham GU23 6NU (“**the Appeal Site**”).
2. The decision whether to grant planning permission for the proposed new settlement falls to be determined in the context of an acute need within Guildford borough for both market and affordable housing. Guildford Borough Council (“**GBC**”) agrees³ that its current housing land supply is just 2.36 years and accepts that land will have to be released from the Green Belt in order for the need to be met⁴. The Appeal Site contains the largest area of previously developed land (“**PDL**”) within the part of the Metropolitan Green Belt that lies within Guildford borough.⁵
3. A second highly significant aspect of the context to this appeal is that GBC is one of only 7% of local planning authorities in England without a post-2004 Local Plan. The application for planning permission for the Appeal Scheme was originally made to support the emerging Guildford Borough Local Plan (“**eGBLP**”) process. Unfortunately that process has been delayed by a number of years⁶. It is the Appellant’s case that but for that delay the Appeal Site would already have been removed from the Green Belt and allocated.
4. As a result of the delay, the present position is that, having been included in successive versions of the eGBLP over the last four years, an area of land of which the Appeal Site is the largest part is allocated in the June 2017 Proposed Submission version of the eGBLP⁷ for a residential and mixed-use development pursuant to

¹ Including up to 60 C2 units and 8 Gypsy and Traveller pitches.

² Suitable Alternative Natural Greenspace.

³ SoCG CD12.3 para 6.14.

⁴ See the OR at CD6.1 para. 10.4.11 and also see the Foreword to the eGBLP itself: CD8.24 p. 5.

⁵ Accepted by Mr Sherman in XX.

⁶ The original proposal was to adopt in 2015, three subsequent LDSs have pushed this back to December 2018.

⁷ CD 8.24.

draft Policy A35⁸. The eGBLP and the allocation that includes the Appeal Site is supported by an extensive evidence base prepared by GBC and expert consultants on its behalf. That allocation is now the largest in the eGBLP in terms of number of dwellings and is critical to GBC being able to plan to meet its housing needs, especially in the first ten years of the eGBLP plan period. The latest June 2017 version of the Sustainability Appraisal ("SA") in support of the eGBLP identifies a new settlement on the Appeal Site as a "given".⁹

5. GBC's long-standing support for the allocation of the Appeal Site in the emerging eGBLP demonstrates that it considers that the "exceptional circumstances" necessary¹⁰ to justify removing the Appeal Site from the Green Belt are present.¹¹ GBC's case is that whilst there are exceptional circumstances that justify removing the Appeal Site from the Green Belt, nevertheless planning permission should not be granted for the Appeal Scheme because the "very special circumstances" ("VSC") that would justify approving the Appeal Scheme notwithstanding its impact on the Green Belt¹² are absent.
6. That position is not made good by the evidence, which in the Appellant's submission shows plainly that the potential harm to the Green Belt by reason of inappropriateness together with the limited other harm identified is clearly outweighed by other considerations, including the very significant benefits that the Appeal Scheme would secure. The requisite VSC are thus present.
7. We first address a number of overarching matters before considering the agreed twelve main issues in this appeal.

2. Overarching matters

8. These are the following:
 - 8.1. Policy context
 - 8.1.1. Existing development plan
 - 8.1.2. The eGBLP
 - 8.1.2.1. Compliance
 - 8.1.2.2. Weight

⁸ The allocation also includes land to the south at Bridge End Farm. The allocation does not include the land proposed for SANG as part of the Appeal Scheme albeit that this land is proposed to be removed from the Green Belt: see para 4.11 of the SoCG (CD12.3).

⁹ CD8.31 para. 6.6.12. It is also said "N.B. This is an evolution of the position in 2016, when Wisley Airfield was taken to be a 'variable'. This position in 2016 reflected a decision taken by GBC Planning Committee (in line with a recommendation by Development Management Officers) in April 2016 to refuse a planning application, on a number of grounds. However, work was subsequently undertaken by site promoters, in collaboration with the Council, to consider means of addressing the various ground for refusal. The outcome was a greater degree of confidence in the potential for a new settlement at the site to be suitable, with the right planning application."

¹⁰ Pursuant to para. 83 of the National Planning Policy Framework ("NPPF").

¹¹ Confirmed by Mr Sherman in XX.

¹² See para. 87 of the NPPF.

- 8.1.2.3. Evidence base
- 8.1.2.4. Prematurity
- 8.1.3. Lovelace Neighbourhood Plan
- 8.2. The proper approach to the VSC test
- 8.3. The application of the NPPF
- 8.4. GBC's position: withdrawal of Reasons for Refusal ("**RfR**")
- 8.5. Position of Surrey County Council ("**SCC**")
- 8.6. RIS
- 8.7. The Wisley Airfield Community Trust ("**WACT**")
- 8.8. Environmental Statement ("**ES**") compliance
- 8.9. Design
- 8.10. Support for the scheme
- 8.11. Third parties

2.1. Policy context

2.1.1. Existing development plan

2.1.1.1. Weight

9. The adopted Guildford Borough Local Plan¹³ ("**the Local Plan**") is out-of-date for the purposes of the NPPF. It was adopted over fourteen years ago, in January 2003.¹⁴ Its plan period ran up to 2006: eleven years ago now. Its evidence base is twenty years old: work on the Local Plan began in 1997, followed by its Public Local Inquiry in 2000 and the Inspector's report in September 2001.
10. The Local Plan was saved a decade ago (September 2007), the Secretary of State making clear in issuing the Saving Direction¹⁵ that the exercise of extending saved policies was "*not an opportunity to delay DPD preparation*", that GBC "*should make good progress*" with its local development framework and that the Local Plan policies had been "*extended in the expectation that they will be replaced promptly*". The progress expected by the Secretary of State has not occurred. Moreover, as already noted GBC is one of only 7% of local planning authorities in England without a post-2004 Local Plan.
11. GBC thus agrees¹⁶ that the Local Plan is out-of-date. Its policies on housing provision (H1) and new residential development (H10) were not included in the September 2007 Saving Direction¹⁷ and thus expired

¹³ CD8.1

¹⁴ See the Foreword.

¹⁵ CD8.2.

¹⁶ Statement of Common Ground ("**SoCG**") between GBC and the Appellant at para. 4.15; also XX of Mr Sherman.

in 2007. The other housing related policies in the Local Plan are less relevant to this appeal and in any event, their plan period ran to 2006.¹⁸ No new housing policies have been adopted since the expiry of the relevant Local Plan policies. Mr Sherman accepted in cross-examination that GBC does not have any housing supply policies at all in its (saved) Local Plan.

12. As Mr Collins explains,¹⁹ the origins of the Local Plan's Green Belt policies pre-date 2003. The Green Belt in Guildford borough was first designated under the 1987 Local Plan and its boundaries remained unchanged in the 1993 and 2003 Local Plans. National policy has, however, changed dramatically since the initial designation of the Green Belt in 1987, with local planning authorities now expected by Government to increase housing provision. Furthermore, the Local Plan would have been produced under the Green Belt guidance contained within PPG2 and in accordance with the relevant national (and regional) planning policy of the time, including for example policy in respect of new towns elsewhere in the south east.²⁰
13. In the light of all the above matters (which were agreed by Mr Sherman in cross-examination), limited weight should be given to the adopted (2003) Local Plan.
14. The significant delay to the eGBLP process is evident from considering GBC's Local Development Schemes ("LDS") since June 2013.²¹ These are summarised by Mr Collins at paras. 7.2 to 7.6 of his proof. In short, the eGBLP was originally due to be adopted in September 2015; the timetabled date for adoption then fell back to July 2016, December 2017 and December 2018. It is apparent that had any of the earlier LDS been followed, the eGBLP would by now have been adopted and the Appeal Site would no longer be in the Green Belt.

2.1.1.2. Compliance with the adopted Local Plan

15. GBC now alleges breach of only three Local Plan policies: RE2, G1 and G5. Whilst Policy RE2 (Green Belt) does not expressly refer to VSC, Mr Sherman agreed in cross-examination that it implicitly recognises VSC and that if VSC were established, the Appeal Scheme would comply with Policy RE2.²²

¹⁷ CD8.2.

¹⁸ As Mr Collins explained in EinC, his proof mistakenly states that these other housing policies ran to 2011.

¹⁹ Paras. 10.5 and 10.6 of his proof.

²⁰ As Mr Collins explains at para. 5.16 of his rebuttal, the review of the Green Belt boundary that is being undertaken in the eGBLP provides GBC with the opportunity to update its Green Belt policy so that it reflects the NPPF, the present boundaries having been created under PPG2. For example, a number of villages presently washed over by Green Belt are proposed to be inset within the Green Belt with new settlement boundaries. This is because PPG2 allowed for major developed sites to remain in the Green Belt, whereas the NPPF does not support that approach. The Green Belt has remained unchanged in Guildford for over 30 years now: see below.

²¹ CD8.40.

²² See also the proof of Mr Collins at p.129.

16. Policies G1 and G5 relate to RfR8 (effect on character and appearance of the area). GBC does not consider that the Appeal Scheme would be so harmful to the character and appearance of the area as to justify withholding planning permission on those grounds.²³ In those circumstances it is submitted that on GBC's own case no breach of Policy G1 or G5 can be established at all but if there were any breach of Policy G1 and/or Policy G5 this would not justify refusing planning permission.
17. Within Policy G1 the relevant policy is Policy G1(12), *Safeguarding and enhancement of the landscape and existing natural features*, which requires that development be designed to safeguard and enhance the characteristic landscape of the locality and existing natural features on the site (hedgerows, trees etc.). Mr Davies explains how the Appeal Scheme fully complies with Policy G1(12) at paras. 7.8 to 7.22 of his proof. As he notes at paras. 6.3 and 6.4, the construction of the airfield has resulted in a landscape that has lost many of its pastoral key characteristic features and contrasts with the more enclosed and well managed character of the wider landscape character area. The only remaining key characteristic features are the remnant hedgerows, hedgerow trees and woodland that lie around some of the Appeal Site boundaries²⁴, together with a single tree belt. The Appeal Scheme would significantly increase the presence of those key characteristic features on site, providing (*inter alia*) an additional 6.2ha of woodland and 3,021 linear metres of native hedgerows.²⁵
18. Policy G5 is the Design Code. As Mr Bradley explains,²⁶ the Appeal Scheme has been designed in line with its requirements. The Appeal Scheme's response to the constituent elements can be summarised as follows:
- 18.1. Policy G5(1) *Context for design*. New development is required to respect the established context (street patterns, topography, established views etc.). Mr Bradley has explained that the need to ensure that the new settlement was sustainable meant that it was not possible to replicate the Appeal Site's surroundings²⁷. However, very careful consideration has been given to the relationship of the Appeal Scheme to the surrounding area: see the Design and Access Statement²⁸ at para. 2.2.1 *Site History and Heritage*²⁹ and the figure that shows *Historical and Cultural Designations*³⁰ and also Mr Bradley's responses in re-examination³¹. In particular, additional restrictions to the parameters have addressed the relationship of the Appeal Scheme with Ockham Lane and Grade II listed Yarne.

²³ GBC SoC, CD1.6, para. at 6.8.3 and proof of Mr Sherman at para. 2.21.

²⁴ Some also remain in the site.

²⁵ Table 4 within the proof of Mr Davies (p.50).

²⁶ Para. 5.1.1.2 of his proof.

²⁷ See his proof at para. 5.1.1.4.

²⁸ CD2.16.

²⁹ P.36.

³⁰ P.37.

³¹ There were, of course, design workshops with GBC and SCC as set out in Mr Collins's proof.

- 18.2. Policy G5(2): *Scale, proportion and form*. Mr Bradley's evidence has explained how the design of the Appeal Scheme respects the scale, height and proportions and materials of the surrounding environment. Detailed design is of course a reserved matter, and subject to a number of conditions that will set the design framework for the overall site and for sub-phases.
- 18.3. Policy G5(3): *Space around buildings*; Policy G5(4) *Street level design*; Policy G5(5) *Layout*. These policies require existing spaces of value to be respected and new spaces to have an attractive and identifiable character; buildings and spaces at pedestrian level to provide visual interest and a sense of place and identity; and the built layout to be easily understood by the user and to create areas of identifiable character. Mr Bradley's evidence in respect of the illustrative masterplan for the Appeal Scheme with its four distinct neighbourhood areas shows how these requirements have been met.
- 18.4. Policy G5(6): *Important public views and roofscape*. Mr Bradley explains³² that views from the surrounding landscape (including those from the AONB³³) have been important considerations in the design of the Appeal Scheme. The parameter plans, as shown by the illustrative masterplan, allow the roofline of the Appeal Scheme to be crenelated:³⁴ this will break up massing and also accords with the supporting text to this policy, which refers to "*adding interest*" to the skyline.
- 18.5. Policy G5(7) *Materials and architectural detailing*. Compliance with this policy will be secured at reserved matters stage.
- 18.6. Policy G5(8) *Traffic, parking and design*. Mr Bradley discusses at para. 4.2.9 of his proof how the car parking strategy of the illustrative masterplan aims to avoid the streets of the Appeal Scheme being dominated by cars. He also explained in oral evidence how the "*network of shared space streets*" referred to at para. 4.2.5.1 of his proof will function.
- 18.7. Policy G5(9) *Landscape design*. As noted above, the Appeal Site has lost many of its key characteristic features and the Appeal Scheme would significantly increase the presence of those features on site. It would provide extensive green infrastructure (as described by Mr Davies at paras. 6.25 to 6.30 of his proof), thus ensuring the successful integration of the new settlement into the existing landscape. Indeed, the Appeal Scheme is landscape-led, as Mr Bradley explained in cross-examination. Grant Associates, a multi-award-winning landscape practice have worked alongside Mr Davies and his firm to create a landscape concept.
- 18.8. Policy G5(10): *Open spaces of value*. As Mr Davies explains,³⁵ open spaces in the borough were surveyed in 1997 and those "*considered to make a positive contribution to the character and visual amenity of the area are*

³² Paras. 4.2.3.3, 4.2.7.1, 6.3.1.7 in his proof.

³³ See also the proof of evidence and EinC of Mr Davies on how long views to the AONB will be retained within GI corridors accommodating the footpaths.

³⁴ Paras. 6.68, 6.77, 6.83, 6.97 in his proof.

³⁵ Paras. 3.25 to 3.28 and 7.30 to 7.32 of his proof.

identified on the Proposal Map". No part of the Appeal Site was so identified, as Mr Miles accepted in cross-examination. Mr Davies has additionally undertaken his own assessment of the Appeal Site, which establishes that its overall value is low.³⁶

19. Mr Miles additionally asserted breaches of Local Plan policies G12 and RE5. As he accepted in cross-examination, GBC has never alleged any breach of either of those policies.
20. Further points relevant to the Appeal Scheme's compliance with the Local Plan policies mentioned above are addressed below under the relevant main issue.

2.1.2. The eGBLP

2.1.2.1. Compliance with the eGBLP

21. GBC has not at any point alleged that the Appeal Scheme fails to comply in any respect with the draft policies of the eGBLP. In the Appellant's submission those draft policies are fully complied with.
22. As regards draft Policy A35 of the eGBLP (the allocation of the Appeal Site), the Appeal Scheme complies fully with its requirements, as explained in detail in Table 7.4 of the proof of Mr Collins.³⁷ Mr Sherman agreed in cross-examination that the Appeal Scheme was capable, subject to completion of a satisfactory section 106 agreement, of being consistent with draft Policy A35. Mr Miles accepted in cross-examination that the Appeal Scheme was generally compliant with the draft policy and that he had not provided an assessment of the extent of the Appeal Scheme's compliance with it. Mr Kiely confirmed in cross-examination that he was not alleging that the Appeal Scheme conflicted with the draft policy in any respect.
23. It is necessary to make one further point in respect of draft Policy A35, which is that properly interpreted, it allows for potential performance issues on the local road network ("**LRN**") and strategic road network ("**SRN**") to be addressed by alternative mitigation measures to the Burnt Common slips:
 - 23.1. Para. (5) of the infrastructure requirements section of Policy A35 states that "[w]hen determining planning application(s), and attaching appropriate conditions and obligations to planning permission(s), regard will be had to the delivery and timing of the key infrastructure requirements on which the delivery of the plan depends, set out in the Infrastructure Schedule in the latest Infrastructure Delivery Plan, or otherwise alternative interventions which provide comparable mitigation" (emphasis added). The Infrastructure Schedule to the Infrastructure

³⁶ Paras. 7.31 and 7.32 of his proof.

³⁷ P.84.

Delivery Plan includes expressly SRN9 and SRN10, which are the Burnt Common slips.³⁸ Draft Policy A35 thus plainly allows for alternative mitigation measures to the Burnt Common slips to come forward;

23.2. The fact that para. (4) of the infrastructure requirements section identifies the Burnt Common slips as mitigation to address impacts on Ripley High Street and surrounding rural roads does not militate against that conclusion. The draft policy functions by identifying Burnt Common slips as the relevant mitigation but recognising additionally that alternative interventions that provide comparable mitigation are permitted; and

23.3. While this point is not critical to the outcome of this appeal, as the section 106³⁹ agreement provides for the Appellant either to deliver or fund the Burnt Common slips, it is an important point that needs to be got right.

24. Turning to the other policies in the eGBLP, as Mr Miles accepted in cross-examination these must be read in the light of the content of draft Policy A35. Mr Collins sets out at Table 7.5 of his proof⁴⁰ how the Appeal Scheme complies with the other policies. Mr Sherman confirmed in cross-examination that GBC had not sought to cite any breaches of these policies.

25. Significant weight should be given to the Appeal Scheme's compliance with the draft policies of the eGBLP.

2.1.2.2. Weight to be given to the eGBLP

26. As regards the weight that should be given to the eGBLP itself, all three criteria set out at para. 216 of the NPPF must be considered:

27. The stage of preparation of the eGBLP. The eGBLP is at an advanced stage, as both Mr Collins and Mr Miles acknowledge. It has passed through the following stages of production:

27.1. Issues and Options (2013):⁴¹ this document included the creation of a new settlement in the spatial options for delivery of the requisite growth and specifically referenced only the Appeal Site as a possible location for a new settlement.⁴²

27.2. Draft GBLP - Regulation 18 (2014):⁴³ the Appeal Site was included in the draft GBLP as Allocation 66.⁴⁴

³⁸ Appendix C to June 2017 eGBLP (CD8.24).

³⁹ References to the section 106 agreement are to the main agreement with GBC and SCC, the separate education section 106 agreement with GBC is referred to as the "*education section 106 agreement*".

⁴⁰ P.93.

⁴¹ As discussed in the proof of Mr Collins at 7.9.

⁴² *Ibid.* at para. 7.11.

⁴³ *Ibid.* at para. 7.13.

⁴⁴ *Ibid.* at para. 7.15.

- 27.3. Proposed Submission GBLP - Regulation 19 (2016): the Appeal Site was included as draft Allocation A35.⁴⁵
- 27.4. Targeted Regulation 19 consultation (2017): an amendment to the eGBLP that would have deleted draft Allocation A35 was lost at a meeting of Full Council.⁴⁶ The Appeal Site is identified as a strategic development site in the current draft of the eGBLP⁴⁷ and is key to the spatial strategy that it sets out⁴⁸.
28. As explained by Mr Collins at para. 7.22 of his proof and as Mr Sherman accepted in cross-examination, at each stage of production Full Council has voted in favour of the eGBLP, which has at every stage made provision in respect of a new settlement on the Appeal Site.
29. By the time this appeal is determined by the Secretary of State, the eGBLP will have been submitted for examination. Whilst GBC disagrees with the Appellant (and Mr Miles) as to the weight that can be afforded to the eGBLP at present, it accepts that once it has been submitted for examination it will be possible to afford significant weight: see the Officer Report (“OR”) at para. 9.6.⁴⁹ This sits at odds with Mr Sherman’s assertion that this is a plan which today can only be given “*very little weight*”. Mr Collins⁵⁰ confirmed his understanding that submission is only “*some six weeks away*” now.
30. The extent of unresolved objections to the draft policies of the eGBLP. There are no longer any objections to the 2016 version of eGBLP from statutory consultees⁵¹. As to the objections made by other parties, as Mr Collins explains in his rebuttal⁵² it is necessary to go beyond a simple numerical assessment (as Mr Collins explained in evidence-in-chief, a large number of the objections are standard form “*cut-and-paste*” objections). Rather, the content of the objections made must be considered: it is the Appellant's case that it has demonstrated, through the material that it has provided (i) in support of its initial planning application (ii) in its representations on the eGBLP and (iii) in support of this appeal, that many of the objections to the eGBLP can be overcome.

⁴⁵ *Ibid.* para. 7.21.

⁴⁶ *Ibid.* para. 7.22.

⁴⁷ CD8.24 at para. 4.1.9

⁴⁸ See in particular paras. 4.1.6, 4.1.8 and 4.1.9.

⁴⁹ CD6.1.

⁵⁰ Mr Collins’s EinC.

⁵¹ See the proof of Mr Collins at paras. 7.62 to 7.65; responses to the 2017 eGBLP are not yet available.

⁵² At para. 5.6.

31. Moreover, whilst as Mr Collins recognises⁵³ regard must be had to the extent of unresolved objections, even if that is a criterion that indicates that less weight should be afforded to the eGBLP, that criterion is outweighed by the other two listed in para. 216 of the NPPF, which strongly support more weight being given.
32. The degree of consistency of the draft eGBLP policies to the NPPF policies. The eGBLP - and particularly the allocation of the Appeal Site - is fully consistent with the NPPF, as explained by Mr Collins at para. 7.66 of his proof. This was agreed by Mr Sherman in cross-examination. Mr Miles contended that this third criterion was more properly addressed through the eGBLP process itself but "*fully accepted*" that there was a degree of circularity in his argument. In the Appellant's submission it is, with respect, entirely circular. Para. 216 requires compliance with the NPPF to be considered in respect of any draft plan whatever stage it has reached, including plans not yet submitted to examination. To say that compliance with the NPPF is an issue for the examination would be to seek to denude this criterion in para. 216 of any meaning.
33. Having proper regard to all three criteria set out in para. 216 NPPF, significant weight should be given to the eGBLP in the determination of this appeal.

2.1.2.3. The eGBLP evidence base

34. The eGBLP, including draft Policy A35, is supported by an extensive evidence base that was most recently updated in June 2017. This includes, *inter alia*, a Strategic Housing Area Market Assessment ("SHMA") (October 2015), SHMA Addendum (October 2017), Land Availability Assessment Addendum (2017), topic papers on housing delivery, green belt and countryside, transport as well as a draft Infrastructure Delivery Plan, a Strategic Highway Assessment Report, a Habitats Regulations Assessment, an Air Quality Review and a Transport Strategy⁵⁴.
35. The up-to-date eGBLP evidence base contrasts sharply with the twenty-year old evidence base of the Local Plan, which dates back to 1997 (as described above).
36. It is necessary to consider two elements of the eGBLP in particular detail: (i) the Sustainability Appraisals that have been produced in support of the eGBLP and (ii) GBC's Green Belt and Countryside Study ("GBCS"),⁵⁵ another key element of the evidence base.

eGBLP Sustainability Appraisals

⁵³ Para. 5.3 of his rebuttal.

⁵⁴ See CD8.6 – 8.34 and 8.48 – 8.49.

⁵⁵ CD8.8 has volume 5 extracts only.

37. GBC commissioned independent expert consultants AECOM to prepare an initial Sustainability Appraisal, which was published alongside the Proposed Submission draft of the eGBLP in 2016.⁵⁶ AECOM subsequently produced an updated Sustainability Appraisal that was published alongside the Targeted Regulation 19 consultation in 2017 ("**the SA**").⁵⁷
38. In addition to having been prepared by independent expert consultants, the SA has to comply with numerous regulatory requirements imposed by the SEA Regulations.⁵⁸ Those include a requirement to assess "*reasonable alternatives*" to the eGBLP. There has been no serious suggestion that the SA does not satisfy all applicable regulatory requirements. Mr Sherman accepted in cross-examination that it did so. Mr Miles asserted that the SA had failed to consider alternatives (to the spatial strategy set out in the eGBLP) that did not include a new settlement on the Appeal Site. However, it is plain that spatial strategy alternatives that did not include development on the Appeal Site were considered⁵⁹.
39. The latest (June 2017) version of the SA in support of the eGBLP says the following key things about the Appeal Site⁶⁰:
- 39.1. Without allocation of Wisley Airfield there was either a need to accept low growth overall or high growth at other locations. Allocation of Wisley Airfield enabled the potential to provide for 'OAHN plus a buffer' whilst following a low growth strategy at other sensitive locations;
- 39.2. While Wisley Airfield performs well as a location for growth;
- 39.3. The preferred option to perform well as a large scheme at Wisley Airfield avoids the need to place pressure on the most sensitive Green Belt and/or landscapes designated as being of larger-than-local importance;
- 39.4. GBC has supported the option of a new settlement since 2013/14, when the principle was established through consultation and multiple endorsements by Full Council⁶¹. Also, at this time, it was established that Wisley airfield is the only realistic site in contention. This remains GBC's view at the current time as repeated in its closing speech;
- 39.5. A 2,000 home Wisley Airfield scheme would support the achievement of certain community infrastructure objectives⁶².

⁵⁶ CD8.17.

⁵⁷ CD8.31.

⁵⁸ Environmental Assessment of Plans and Programmes Regulations 2004.

⁵⁹ See e.g. Table 6.2 in the original 2016 SA, Options 1, 2 and 3 within which clearly show "0" units coming forward on the Appeal Site.

⁶⁰ CD8.17 boxes 6.4 & 6.6 and paras. 6.6.12 and 10.4.4.

⁶¹ With motions by Cllr Cross to remove the allocation defeated.

⁶² "*Growth at Ash and Tongham gives rise to some concerns, from a perspective of ensuring easy access to services/facilities. In total, the Ash and Tongham area (including Ash Green) is set to receive a quantum of growth comparable to Wisley airfield, but without comparable supporting uses and infrastructure...*" (see para. 10.4.4.)

The GBCS

40. The GBCS was also prepared by independent expert consultants, Pegasus. Pegasus is a very well-established planning consultancy of 190 professionals. It provides expertise across a range of areas including town planning, environmental planning and design (both urban and landscape). It won the 2017 Planning Award for Best Housing Scheme (500 homes or more) and has been shortlisted for a stakeholder engagement award and for an RTPI planning excellence award.⁶³
41. Mr Sherman accepted in cross-examination that the methodology used in the GBCS was appropriate. GBC's June 2017 *Green Belt and the Countryside* topic paper (also part of the eGBLP evidence base)⁶⁴ shows⁶⁵ how extensive the exercise undertaken by the GBCS was (resulting in a study comprising six volumes) and why GBC correctly regards the methodology as sound⁶⁶.
42. The topic paper also states clearly that the GBCS is to be regarded as the up-to-date evidence base on Green Belt issues.
43. The contrast between the up-to-date analysis provided in the GBCS and the origins of the Local Plan's Green Belt policies is particularly stark. As noted above, the latter pre-date 2003, the existing Guildford borough Green Belt boundaries dating from 1987.
44. The substantive content of the GBCS is addressed below under the first main issue.

2.1.2.4. Prematurity

45. There is no basis for refusing planning permission for the Appeal Scheme on prematurity grounds. Of the four expert planning witnesses who have provided evidence in this appeal, Mr Sherman, Mr Kiely and Mr Collins all accept this point.

⁶³ See further ID87.

⁶⁴ CD8.27

⁶⁵ At paras. 3.1 to 3.7.

⁶⁶ "3.6 Further work was undertaken following a resolution made at an extraordinary meeting of the Council on 13 January 2014. This resulted in a special Local Plan Scrutiny Forum, held on 4 March to enable the community to share their views on the evidence base and raise issues concerning methodology and fact only. This exercise led to the preparation of Volume II addendum and a re-issue of Volume IV.

3.7 Subsequent to this, a further Volume II addendum has been prepared in 2017. This builds further upon the work previously undertaken in that it assesses the Green Belt sensitivity of the next layer of land parcels around the urban areas on the assumption that the sites proposed in the Regulation 19 Local Plan (2017) are built".

46. The Court of Appeal has held (*R (Luton Borough Council) v Central Bedfordshire Council* [2015] 2 P&CR 19⁶⁷) that para. 83 of the NPPF does not lay down a presumption or create a requirement that the boundaries of the Green Belt must first be altered via the process for changing a local plan before development may take place on the area in question. Paras. 87 and 88 of the NPPF "*plainly contemplate*" that development may be permitted on land within the Green Belt, without the need to change its boundaries in the local plan, provided that VSC exist.
47. The Government's Planning Practice Guidance ("**PPG**") states⁶⁸ "*arguments that an application is premature are unlikely to justify a refusal of planning permission*⁶⁹" other than where it is clear that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits. It says that such circumstances are likely, but not exclusively, to be limited to situations where both:
- “(a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging Local Plan or neighbourhood planning; and
(b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.”
48. It is no part of GBC's case that planning permission for the Appeal Scheme should be refused on prematurity grounds.⁷⁰ The OR⁷¹ at section 10.3⁷² considered "*Prematurity and the Local Plan process*" and stated at para. 10.3.6 that "[i]t can therefore be concluded that the Council should determine the current application and that the proposal should be considered on its merits". Mr Sherman accepted in cross-examination that the Appeal Scheme would not offend point (a) set out in the PPG extract above (i.e. that it would not undermine the plan-making process).
49. The Secretary of State's decision at Perrybrook⁷³ establishes two key points. First, a proposal should not be regarded as premature within the terms of NPPF para. 216 if it is in keeping with an emerging Local Plan.⁷⁴ Second, a proposal will be "*plan-led development*" rather than one which would undermine the plan-making process where the purpose of making the application for planning permission for the proposal was to support

⁶⁷ CD11.15.

⁶⁸ CD9.2, Reference ID 21b-014-20140306.

⁶⁹ Emphasis added.

⁷⁰ There is no reference to prematurity in the RfR, GBC's SoC or Mr Sherman's written evidence.

⁷¹ CD6.1.

⁷² P.30.

⁷³ CD10.2.

⁷⁴ See the Secretary of State's decision letter dated 31 March 2016 (*ibid.*) at para. 19 ("*Since the proposal is in keeping with the emerging JCS, he agrees that the proposal should not be regarded as premature within the terms of Framework paragraph 216*") and the Inspector's report at IR15.52.

the Local Plan process.⁷⁵ The Appeal Scheme is fully in keeping with the eGBLP (above). Furthermore, the application for planning permission for the Appeal Scheme was made to support the eGBLP process⁷⁶.

50. Mr Miles attempted to distinguish this appeal from the factual position in the Perrybrook appeal. The points raised by Mr Miles (and Mr Kiely⁷⁷) are, however, irrelevant to the two key points noted above. Furthermore, whilst the Perrybrook appeal was not opposed by the relevant local authorities,⁷⁸ many other elements of the Perrybrook appeal are also present in this appeal:

50.1. The Perrybrook scheme included up to 1,500 houses and was similar in nature and scale to the Appeal Scheme.⁷⁹

50.2. The Perrybrook appeal site was in the Green Belt and it was common ground that it would, by definition, result in loss of openness and would conflict with the stated Green Belt purpose of safeguarding the countryside from encroachment; as well as one other purpose.⁸⁰

50.3. The Perrybrook appeal site was also identified as a site of strategic value (to be removed from the Green Belt) in the emerging Joint Core Strategy ("JCS") - cf. the allocation of the Appeal Site in the eGBLP here.

50.4. The area containing the appeal site in Perrybrook had been studied for a decade to establish its suitability for removal from the Green Belt.⁸¹ The Appeal Site has been identified for removal from the Green Belt in versions of the eGBLP and studies that date back to 2013 (above).

50.5. Whilst the JCS process was further on in the Perrybrook appeal than is the eGBLP process *at present*, nevertheless the JCS was still under examination when the Secretary of State determined the Perrybrook appeal.

50.6. Finally, the benefits of the Perrybrook scheme are mirrored by those of the Appeal Scheme: a significant quantum of housing (the context in Perrybrook was one of a "*significant undersupply of land for housing, as well as a pressing social need*");⁸² affordable housing;⁸³ satisfaction of "*longstanding strategic planning aims*";⁸⁴ economic benefits (that in Perrybrook were found to attract considerable weight);⁸⁵ local sports and recreational facilities;⁸⁶ education, health and community facilities;⁸⁷ and environmental gains.⁸⁸

⁷⁵ *Ibid.*, IR15.52, accepted by the Secretary of State at para. 19 of his decision letter.

⁷⁶ See the proof of Mr Collins at paras. 6.23 and 8.74. None of the other expert planning witnesses disputed this point.

⁷⁷ Mr Kiely also attempted to distinguish the facts of Perrybrook, albeit not in the context of a prematurity argument, which he agreed that he was not making.

⁷⁸ The local planning authority, Tewkesbury Borough Council, did not oppose the application; Gloucestershire County Council (highway authority) did not object and Gloucester City Council supported the early release the appeal site (IR15.52).

⁷⁹ Outline planning permission for the mixed use development of up to 1,500 dwellings including extra care housing, community facilities including A1, A2, A3, A4 and A5 local retail shops, B1 /B8 employment uses, D1 health facilities and formal/informal public open space,

⁸⁰ IR6.2.

⁸¹ IR15.53.

⁸² IR15.71.

⁸³ *Ibid.*

⁸⁴ IR15.72.

2.1.3. The Lovelace Neighbourhood Plan

51. Finally as regards the local planning policy context for the determination of this appeal, the draft Lovelace Neighbourhood Plan is not yet a public document.⁸⁹ No weight can therefore be accorded to it at this stage.⁹⁰ All four expert planning witnesses agreed on this point.⁹¹ Mr Collins's evidence-in-chief was that adoption of this plan is at least 18 months off; it only being at stage 2 of 7 as laid out in the PPG. In addition it has been accepted that this plan cannot influence or affect the allocation of Wisley Airfield⁹².

2.2. The proper approach to the VSC test

52. Para. 87 of the NPPF provides that "*inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances*". "*Inappropriate development*" includes (subject to exceptions that are not relevant in this appeal) the construction of new buildings in the Green Belt. VSC will not exist "*unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations*" (para. 89 NPPF).

53. The correct approach to VSC is usefully summarised in *Wildie v Wakefield MDC* [2013] EWHC 2769 (Admin)⁹³ "*... in considering whether to allow development in the Green Belt, the decision maker must consider, first, the "definitional" harm arising from the inappropriate development as well as such further harm to the Green Belt as is identified as being caused by the development in that case [and any other non-Green Belt harm]⁹⁴, and then secondly consider countervailing benefits said to be served by the development; and then consider whether those benefits clearly outweigh the harm so as to amount to very special circumstances. Secondly, in order to qualify as "very special", circumstances do not have to be other than "commonplace" i.e. they do not have to be rarely occurring ...*". This approach is very well-established and was accepted by Mr Sherman and Mr Kiely in cross-examination. The words "*very special circumstances*" thus do not need to be given any further meaning as Mr Bird QC suggested in cross-examination of Mr Collins. Where the other considerations clearly outweigh the harms there are VSC.

⁸⁵ IR15.65.

⁸⁶ IR15.54.

⁸⁷ *Ibid.*

⁸⁸ IR15.63.

⁸⁹ Oral statement of Suzie Powell-Cullingford on behalf of RPC.

⁹⁰ Para. 216 of the NPPF provides that decision-takers may give weight to relevant policies in emerging plans from the day of publication.

⁹¹ The Lovelace Neighbourhood Plan Group's website (CD13.5) expressly asks "*What about the former Wisley airfield?*" and recognises in response that "*the Neighbourhood Plan has to work alongside the Borough Council Local Plan*" and that "*if the next draft of the new Local Plan from Guildford identifies this area as a 'strategic development site' our Neighbourhood Plan can't forbid this*". The Appeal Site has since been identified in the eGBLP as a strategic development site. Furthermore the Chair of the Group has acknowledged that "*strategic sites within the GBC Local Plan (including the former airfield) [are] outside our remit*" and that the Group has "*no influence*" over development on the Appeal Site (CD13.4, second para.).

⁹² CD13.4 and 13.5.

⁹³ CD11.27.

⁹⁴ See *Redhill Aerodrome Ltd v SSCLG* [2015] PTSR 274 (ID102).

54. Ministerial statements make clear that a shortfall in housing is “*unlikely*” alone to amount to VSC but: (i) national policy does not say that it never can even alone see: *Doncaster MBC v SSCLG* [2016] EWHC 2876 (Admin); and (ii) in any event it can be a VSC when considered as part of a wider set of factors that together make up VSC see: *R (Smech Properties Ltd) v Runnymede District Council* [2016] JPL 677⁹⁵; *R (Lee Valley) v Broxbourne BC* [2015] EWHC 185 (Admin)⁹⁶ and the Secretary of State’s decision at Perrybrook⁹⁷.
55. It is acknowledged that case-law holds that the VSC test is stricter than the exceptional circumstances test that governs the alteration of Green Belt boundaries through the local plan process. However, the distinction between the two tests is not explored further in the relevant authorities: there is no judgment that sets out how the requirements of the two tests differ.⁹⁸ In *Calverton Parish Council v Nottingham City Council & Ors* [2015] EWHC 1078 (Admin)⁹⁹ Jay J held (at [20]) that:
- “Exceptional circumstances”* remains undefined. The Department has made a deliberate policy decision to do this, entrusting decision-makers with the obligation of reaching sound planning judgments on whether exceptionality exists in the circumstances of the individual case.”
56. GBC has set out its correct understanding of the definition of exceptional circumstances¹⁰⁰. But there can be no question but that the considerations relevant to these two tests overlap to a considerable degree, as Mr Sherman acknowledged in cross-examination.
57. It is the Appellant’s case that whilst the Appeal Scheme would (as “*inappropriate development*”) result in “*definitional harm*” to the Green Belt, and there would be impact on openness nonetheless it would result in only limited other harm. On a proper application of the VSC test, the benefits of the Appeal Scheme clearly outweigh the totality of the harm that would result, such that the VSC test is satisfied. We will return to this as the twelfth and final main issue on this appeal.

2.3. The application of the NPPF

⁹⁵ CD11.20.

⁹⁶ CD11.17 at para. 68.

⁹⁷ CD10.2.

⁹⁸ Accepted by Mr Sherman in XX.

⁹⁹ CD11.33

¹⁰⁰ See Appendix 4b Sub Appendix A Joint Scrutiny Committee Resolution 8, published in connection with the Scrutiny Committee on the draft Local Plan: see Mr & Mrs Paton’s proof at para. 4.4.2.7:

“There is no definition of what constitutes exceptional circumstances, as this will vary locally. Legal advice suggests that it is likely to be interpreted as circumstances arising that are not commonplace. We consider that a combination of factors exist locally that together constitute exceptional circumstances that enable us to take the decision to amend our Green Belt boundaries. This includes the high level of housing need, including affordable homes, exacerbated by a significant backlog of unmet need, the lack of suitable alternative land, the general lack of affordability across the borough and issues with housing mix. Additionally we need to consider the consequences of not amending our Green Belt boundaries which would be to significantly worsen an already difficult housing position, and the consequential economic situation”.

58. Since the Local Plan is part of the development plan and is agreed to be out-of-date, the “*tilted balance*” in the second part of para. 14 of the NPPF would ordinarily apply, requiring planning permission to be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits (when assessed against the NPPF policies taken as a whole). The tilted balance would also apply having regard to the judgment of the Supreme Court in *Hopkins Homes Ltd v SSCLG* [2017] 1 WLR 1865:¹⁰¹ the Supreme Court held that the absence of a five year housing land supply (as here) suffices to trigger the operation of the second part of para. 14 NPPF.
59. However, para. 14 NPPF goes on to provide (in effect) that planning permission should not be granted where “*specific policies in [the NPPF] indicate development should be restricted*”. The question whether the tilted balance applies in this context has not been resolved by the Courts. The case-law provides two potential approaches: (i) the tilted balance does not apply, the relevant test being provided instead by the “*specific policy*” in question; alternatively (ii) the “*specific policy*” test falls to be applied first and if it is satisfied, the tilted balance then comes back in.¹⁰² As Mr Collins explains in his proof¹⁰³ and as agreed by Mr Miles in cross-examination, it is unnecessary to resolve the question on this appeal. None of the case-law authorities that have considered the question to date concerned the specific policies in the NPPF relating to Green Belt. In the Green Belt context with which this appeal is concerned, the specific policy test is the VSC test i.e. whether the harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. If a planning decision maker concludes that any harms are “*clearly outweighed*” by the benefits then it will grant planning permission. The addition of the tilted balance (i.e. whether the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits) after the VSC test adds nothing.

2.4. GBC's position: withdrawal of Reasons for Refusal

60. Subject to completion of a satisfactory section 106 agreement and/or imposition of suitable planning conditions, of the fourteen RfR originally given by GBC, only two remain in dispute between GBC and the Appellant. They are RfR1 (Green Belt) and RfR8 (Indicative Quantum and Scale).¹⁰⁴ Furthermore and as noted above, GBC does not consider that RfR8 itself provides justification for refusing planning permission for the Appeal Scheme.¹⁰⁵

2.5. Position of SCC

¹⁰¹ CD11.24.

¹⁰² See *Watermead* [2016] EWHC 624 (CD11.25), *Forest of Dean* [2016] PTSR 1031 (CD11.21) and *Watermead* [2017] EWCA Civ 152 (CD11.26).

¹⁰³ At para. 22.

¹⁰⁴ See the SoCG between the Appellant and GBC at para. 6.8 ff.

¹⁰⁵ See Mr Sherman’s proof of evidence at para. 2.21.

61. SCC is the local highway authority, the minerals and waste planning authority for the Appeal Site and the local education authority. It is not objecting to the appeal and has not presented any evidence to the Inquiry¹⁰⁶. On highway matters SCC has written a letter of support¹⁰⁷.

2.6. The Road Investment Strategy ("RIS")

62. If (and it is only if at this stage) RIS requires any land take from the Appeal Site this can be accommodated with only very minor alterations to the illustrative masterplan as shown in ID68. This matter can be conditioned. It must be emphasised that this appeal does not seek consent for RIS. That would be the subject of a separate process, most likely a development consent order under the Planning Act 2008 ("DCO"). In relation to the Appeal Site this would operate in a way akin to a drop-in application in the overall outline permission. The DCO would, of course, require full compliance with EIA processes including an assessment of the impacts of RIS in-combination with the Appeal Scheme as committed development.

2.7. The WACT

63. The Appeal Scheme includes *circa* 50ha of Suitable Alternative Natural Greenspace ("SANG") that is to be maintained as public open space, along with community and leisure facilities that will also require sustained management and investment to ensure that they serve the community and remain well maintained and equipped. The bus services to and from the Appeal Site are to be provided in perpetuity with resilience funding to ensure sustained viability and affordability.
64. A Community Trust has been determined to be the most appropriate mechanism through which to ensure, in the long term, quality management of the SANG, provision of bus resilience funding and ownership and management of the community and leisure facilities.¹⁰⁸ The Appellant is seeking to establish a locally managed organisation with local participative governance that is able to fulfil the above aims and also plan and support community development activities that are designed to build a sense of community amongst the local residents.¹⁰⁹ Community Trusts are independent, not-for-profit organisations (usually with charitable status) that aim to respond to local needs and are intended to bring about social, economic and environmental benefits for the communities that they serve. Both Surrey Wildlife Trust ("SWT") and the Land Trust have expressed a strong interest in operating the WACT¹¹⁰. Further detail is provided at para. 1.2 of the Outline Business Plan ("OBP").¹¹¹ The latter document has been prepared through consultation with primary

¹⁰⁶ The position taken on education is considered below.

¹⁰⁷ ID22.

¹⁰⁸ See App. 6 to the section 106 agreement at para. 1.2.

¹⁰⁹ *Ibid.* at para. 1.1; and note also the comments of Mark Patchett at the conditions/section 106 session.

¹¹⁰ See Mr Collins's proof at para. 3.63.

¹¹¹ App. 6 of the Section 106 agreement.

stakeholders and through drawing on the research gathered through the masterplanning process for the Appeal Scheme.¹¹²

65. The OBP sets out¹¹³ the proposed principal aims and related activity areas of the proposed WACT:
- 1) Own, maintain and effectively manage the on-site SANG in accordance with the SANG Management Plan and the Landscape and Ecology Management Plan, and provision of SAMM Plus wardening of the Ockham and Wisley Commons element of the Thames Basin Heaths SPA.
 - 2) Maintain and effectively manage the permanent provision of frequent bus transport services for Wisley Airfield residents, pupils and business employees to Effingham Junction / Horsley, Cobham and Guildford including resilience funding where required.
 - 3) Own, maintain and effectively manage endowed Village Hall, Clubhouse, major playing fields and other community assets including maintenance in perpetuity of strategic planting and landscaping to protect the setting of nearby heritage assets including Yarne and Ockham Conservation Area.
 - 4) Provide community development activities designed to build a strong, healthy, and cohesive community of which everyone who lives, works or studies at Wisley Airfield can feel a part.
66. The OBP makes clear that the WACT is to be an "*organic and entrepreneurial organisation*" with the capacity to respond to needs and opportunities. Other potential aims and associated activities are set out at paras. 2.2 and 3.5 of the OBP and will be considered once development is underway.
67. The WACT will be a charitable limited company. This model has been chosen because it provides a sufficiently robust but dynamic organisational structure that includes the necessary legal framework for asset ownership and responsibility for resources, whilst also ensuring strong management and accountability¹¹⁴ for service delivery and demonstrable public benefit. Further detail is provided at para. 4 of the OBP.
68. It is proposed that initially the WACT Board of Trustees may include one GBC trustee, one SCC trustee, one ecology specialist, three community trustees, three developer trustees (during the construction phase) and two co-opted trustees with specialist contributions or to meet skills gaps.¹¹⁵ The governance of the WACT is explained in more detail in the OBP. The independent status of the WACT will require the appointment of an executive team to initiate and undertake practical day-to-day tasks as required by the Board.
69. A financial model has been prepared¹¹⁶ that is designed to ensure financial self-sufficiency in the long term through income derived from (i) endowed income generating assets and/or financial endowment¹¹⁷ (ii) an annual levy paid by residents of the Appeal Scheme. Start-up funding and revenue in the early years will be

¹¹² *Ibid*, para. 1.2.

¹¹³ Para. 2.2.

¹¹⁴ Trustees are registered with both the Charity Commission and with Companies House - they are both trustees under charity law and company directors under company law.

¹¹⁵ See App. 6 to the section 106 agreement at para. 4.1.1.

¹¹⁶ OBP at para. 6.1.

¹¹⁷ The details will be approved in due course, and an independent accountant has to audit it for the purposes of GBC approval; and it is regularly reviewed with an obligation on the developer to top-up if the assets under-perform. The Appellant also has to consult the WACT on the robustness of the endowment prior to hand over.

provided by the Appellant. The WACT has been fully costed and those details are provided in the OBP. As Mr Collins explained in evidence-in-chief, they show that the WACT will go beyond the break-even point by the end of the build out period (Year 16).

70. The WACT will be secured through the section 106 agreement and has the full support of both GBC and SCC. As Mr Collins explained, the Community Trust model is becoming increasingly common; a view also expressed by Mark Patchett at the conditions/section 106 session. Relevant examples from the more than 500 Community Trusts across the UK are provided as Appendix A to the OBP.

2.8. ES compliance

71. GBC has expressed its satisfaction that the ES meets the relevant regulatory requirements¹¹⁸. Mr Miles also accepted that position in cross-examination, dropping his earlier assertion to the contrary¹¹⁹.
72. GBC's conclusion was reached following (i) independent review by Nicholas Pearson Associates of the original December 2014 ES, in April 2015; (ii) the production of a revised ES ("**ES Addendum**") in December 2015 in response (*inter alia*) to the conclusions of the independent review; and (iii) independent review of the ES Addendum (again by Nicholas Pearson Associates) in February 2016. As the OR notes, the review used criteria adopted by the Institute of Environmental Management and Assessment ("**IEMA**") for use in the Environmental Impact Assessment ("**EIA**") Quality Mark registration scheme.
73. Wisley Action Group & Ockham Parish Council (hereafter "**WAG**") belatedly wrote to PINS on 13 September 2017 to assert (*inter alia*) that the ES was defective because it did not include any assessment of the amended highways mitigation proposals that the Appellant had set out and discussed in its proofs of evidence and rebuttals. That assertion is entirely without foundation, for the following reasons (which are stated more fully in the letter from the Appellant's solicitors to PINS dated 18 September 2017):¹²⁰
74. First, most of the highways mitigation measures that were assessed in the ES remain as proposed mitigation measures.
75. Second, the Burnt Common slips have been part of the evidence base for the eGBLP since 2016 (draft Policy 43a)¹²¹ and have been identified as mitigation specifically for development at the Appeal Site since June 2017

¹¹⁸ See para. 5.3 of the OR CD6.1.

¹¹⁹ Mr Baker in XX accepted there were no breaches of the EIA Regulations.

¹²⁰ ID3.

¹²¹ CD8.24.

(draft Policy A35).¹²² The *Habitats Regulations Assessment for Guildford Borough Proposed Submission Local Plan: Strategy and Sites*¹²³ and the *Air Quality Review of Guildford Borough Proposed Submission Local Plan: Strategy and Sites*¹²⁴ took account of all the development proposed within the eGBLP, including the new settlement proposed for the Appeal Site and the Burnt Common slips. They concluded, respectively, that the eGBLP was not likely to have any significant effects on the Thames Basin Heath SPA and that the effect of the eGBLP on annual mean NO₂ concentrations would be negligible.

76. Third, as is very frequently the case, the highways mitigation proposals evolved over time as part of the discussions with GBC and SCC on the appropriate form of conditions to be imposed on any grant of planning permission and of the section 106 agreement that would accompany it. The Appellant has not changed its planning application by including the Burnt Common slips in its mitigation package.

77. Fourth, it must be recognised that "*the environmental assessment process is not intended to be an obstacle course that a developer has to overcome*" (*Jones v Mansfield DC* [2003] EWCA Civ 1408 *per* Carnwath LJ as he then was). On the specific argument made by WAG, it is important to give proper consideration to the judgment of Sullivan J (as he then was) in *R (o.a.o. Linda Davies) v SSCLG* [2008] EWHC 2223 (Admin).¹²⁵ It was argued¹²⁶ that additional environmental information put forward by the applicant for planning permission at the inquiry should not have been taken into account either by the Inspector or the Secretary of State; alternatively, that they should have taken it into account only after requiring the application to publicise the additional information and carry out a consultation exercise such as that prescribed by reg. 19 of the then-extant EIA Regulations (now reg. 22 of the EIA Regulations applicable to this appeal "**Reg. 22**")¹²⁷. Sullivan J rejected that argument. The key points are:

77.1. "[i]n an ideal world the applicant's Environmental Statement would be the last word on the environmental impact of a proposal because it would contain the "full information" about its likely environmental impact. However, the Regulations are not premised upon such a counsel of perfection (see *Blewett*, paragraph 41). A local planning authority may accept that an Environmental Statement contains sufficient material to comply with the Regulations, but still contend that the assessments therein of the various environmental impacts are inaccurate, inadequate or incomplete";

¹²² *Ibid.*

¹²³ CD8.48.

¹²⁴ CD8.49.

¹²⁵ ID3.

¹²⁶ See para. 37 of the judgment.

¹²⁷ Town and Country Planning (Environmental Impact Assessment) Regulations 2011.

- 77.2. *“If planning permission is refused on the grounds of, inter alia , environmental impact, and the applicant for planning permission appeals to the Secretary of State ..., then those contentions will be examined in detail, often in very great detail, in written representations or at a hearing or a public inquiry”;*
- 77.3. *“If the accuracy, adequacy or completeness of the applicant's Environmental Statement has been challenged, the applicant will almost certainly submit further evidence as to the likely environmental impact of the proposals...”*
128;
- 77.4. *“The opportunity for evidence to be given orally and to be cross-examined is one of the recognised advantages of holding a public inquiry”;* and there is no legal issue if a witness in oral evidence attributes a different weighting to an impact to that given in the ES e.g. *“moderate”* rather than *“slight”*, or *“significant”* rather than *“moderate”*. This wholly contradicts the approach taken at this inquiry in cross-examination of a number of the Appellant’s witnesses by Messrs Bird, Harwood and Westmoreland-Smith¹²⁹;
- 77.5. If there was no possibility of such additional or new environmental information (including about proposed mitigation) emerging as a result of the inquiry process, then there would be little point in arranging inquiries where there had been an Environmental Statement, but environmental impacts were still in issue¹³⁰;
- 77.6. It was wholly wrong to argue that *“if additional environmental information, ie environmental information that is in addition to that which was contained in the Environmental Statement and the responses thereto under the Regulations, is produced at an inquiry, that additional information either should not be considered by the decision taker, or should not be considered by the decision taker unless it has been subject to the same degree of publicity and consultation as the information in the original Environmental Statement”*.

78. No request for further information pursuant to Reg. 22 of the EIA Regulations has at any point been made by GBC or PINS. Nor has any party to the appeal requested that either GBC or the Inspector make such a request. If the conclusion reached is that the ES is defective because it does not include adequate assessment of the amended highways mitigation proposals to include Burnt Common (which for the avoidance of doubt is strongly denied), or fails to include assessment of any other requisite matter (again strongly denied) having regard to *Davies* the proper course will be for the Inspector or the Secretary of State (as appropriate) to request further information on that point pursuant to Reg. 22. There is support for the lawfulness, and appropriateness, of this approach: see *Jaytee (Rainton) LLP v SSCLG* [2013] EWHC 2835 (Admin) and the

¹²⁸ The *Berkeley “paper chase”* analysis is wholly inapplicable where there is an Addendum ES; and the application to which it relates goes on appeal where further evidence is heard See para. 39 of the judgment. Mr Harwood QC’s XX of Dr Tuckett-Jones hinted at the air quality assessments being a paperchase; that though would be a bad point – contrary to *Davies* and was (rightly) not pursued in WAG’s closing.

¹²⁹ And in closing – see the Horsley Parish Councils’ closing at paras. 85 – 88. The Addendum ES does not set in stone the weight to be given to benefits in the overall assessment. That is not the role of an ES.

¹³⁰ See also para. 42 of *Davies* “[i]n addition to ignoring the essential function of the inquiry – to elicit further information, including environmental information – the claimant’s submission ignores one of the inquiry’s most important characteristics: that it is a public inquiry. Thus, any member of the public who is concerned about the environmental impact of a proposal is able to attend, and insofar as additional evidence is given in or reduced to writing, to obtain copies of the relevant documents.”

ongoing appeal by Cuadrilla Elswick Limited in respect of the proposed shale gas development at Roseacre Wood.¹³¹

79. Much the same can be said of the points raised by the Horsley Parish Councils¹³² in relation to sewage treatment; the suggestion being that the Addendum ES should have considered any off-site sewage upgrades that may be required. On this point the facts are:
- 79.1. There is no objection from the EA or Thames Water¹³³;
 - 79.2. An impact study was undertaken by WSP¹³⁴;
 - 79.3. The Addendum ES did consider these issues¹³⁵;
 - 79.4. The issues are considered further in Mr Collins's proof App. 8. Sewage that flows from the Appeal Site would ultimately end up at Ripley sewage treatment works (2.6km north-west of the Appeal Site). Various upgrade options are being considered – in order to meet the needs generated by the eGBLP. There is the possibility of a contribution being made to off-site infrastructure in due course. No consent is being sought for this. The precise proposals for upgrade are undecided at this time. They are a matter for another day. The parameter plans do show a possible pumping station on the Appeal Site; that has been assessed.
80. None of the above in any way invalidates the ES; but ultimately if more environmental information is wanted than has been provided then a Reg. 22 request can be made. The Appellant says this is not necessary but if that is not accepted that is the solution.

2.9. Design

81. The Appeal Scheme has been designed by Feilden Clegg Bradley Studios, a multi-award-winning architectural practice. Its work includes the only housing project to win the Royal Institute of British Architects ("RIBA") Stirling Prize, the UK's most prestigious architectural award. Notably, the practice has won numerous awards in respect of sustainability, including a Queen's Award for Sustainable Development (the first in the UK), the RIBA Sustainability Award (2006); the Civic Trust's Sustainability Award and AJ100 Sustainable Practice of the Year (on three occasions). The practice was named BD Sustainability Architect of the Year for 2016. Furthermore, as mentioned already Grant Associates, a multi-award-winning landscape practice have worked alongside Mr Davies and his firm to create a landscape concept.

¹³¹ Appeal reference APP/Q2371/W/15/3134385.

¹³² And adopted by WAG in closing.

¹³³ CD6.1 para 7.7

¹³⁴ *Ibid.*

¹³⁵ CD14.1.4 paras. 4.32 – 4.35; CD14.1.7 paras. 7.3.2 – 7.3.33 and CD14.1.29 App. 4.5 which contains the Sewer Impact Study.

82. As noted above, Mr Bradley explained in his oral evidence that the Appeal Scheme is design-led. He was asked in cross-examination by Mr Harwood QC whether his clients had briefed him by saying that they wanted 2,100 homes and his response was the following:

"In fact they didn't. It was a long process investigating how the site would work. In fact it took us a little while to get to what was thought to be the appropriate critical mass. We were never given a straightforward brief. We worked through, design development, testing sites, looking at the ingredients required and it becomes a much more iterative process".

83. It was then put to Mr Bradley that the Appeal Scheme was one "*which needs everything which you've managed to get in to it*" in order to work. His response was:

"To make it a truly sustainable scheme, yes, though there are schemes across the country happening without these facilities. We are going well beyond the minimum requirement for these facilities. Really trying to make this an exemplary sustainable settlement - that was the brief".

2.10. Support for the scheme

84. The Appeal Scheme has attracted considerable support. In an initial telephone survey of 1,002 Guildford borough residents in March 2015, 46% of respondents expressed support for the scheme, against 31% who opposed it. A telephone survey of 502 Guildford borough residents aged 18 to 40 in June 2016 found that 45% of respondents supported the scheme, against 15% opposing. That survey was in effect repeated in March 2017 and found that support had increased (57% in support against 10% opposing).¹³⁶ 1,434 persons have now signed up through the Appellant's website as supporters¹³⁷ of the Appeal Scheme since October 2016.¹³⁸

85. More generally - and contrary to the assertion of a third party that the 18 to 40 demographic is a "*nomadic generation*" - a 2017 telephone survey of 18 to 40 year-olds in Guildford found that 89% of respondents wanted to buy their own home and 71% said that houses in the area were simply too expensive.¹³⁹ As discussed in more detail below, the Appeal Scheme is critical to GBC being able to plan to meet its housing needs (especially in the first ten years of the eGBLP plan period) and would be able to contribute *circa* 12-14% of the level of affordable housing planned for the eGBLP plan period:¹⁴⁰ a level of affordable housing that is more than has been delivered in the entirety of the borough since 2009/10.

2.11. Third parties

86. Specific points made by third parties at the Inquiry are addressed below under the relevant main issue, as necessary. In respect of the statements made by third parties more generally, we make the following points:

¹³⁶ CD13.59, p.2.

¹³⁷ Some signed up as supporters but included free form comments against the scheme; these have now been removed from the list and the net number of supporters is 1,434.

¹³⁸ *Ibid.*, p.18. Mr Miles in XX accepted that there was also support for the Appeal Scheme.

¹³⁹ *Ibid.*, back page.

¹⁴⁰ *Ibid.* at para. 6.17, based on overall delivery of 15,000 dwellings at 40% affordable housing provision.

87. First, hardly any third parties acknowledged the need for more housing in Guildford borough. However, as Mr Miles accepted in cross-examination, it is a well known dynamic at planning inquiries that those who object tend already to have a house whilst those who need a home do not tend to turn up. Mr Miles also accepted that younger people could be underrepresented in the East and West Horsley survey responses. In the Appellant's submission such underrepresentation is probable, given that the level of owner-occupation is 86% in East Horsley and 87% in West Horsley and that Mr Miles himself explained to the Inquiry that hardly any households had returned more than one form.¹⁴¹
88. Second, a number of third parties recognised that there will inevitably be some development on the Appeal Site in future (e.g. Councillor Cross for Ripley Parish Council ("**RPC**") and third party Annie Cross¹⁴²). This is so because of the extent of constraints in GBC's area which include the fact that 89% of the borough is Green Belt, combined with the level of needs for housing and economic development and the fact that the Appeal Site is the largest area of brownfield land in the borough.
89. Third, many third parties appeared to take the view that the Appellant's pursuit of an appeal was in some way an abuse¹⁴³, given GBC's refusal to grant planning permission for the Appeal Scheme. To the contrary, the Town and Country Planning Act 1990 accords a statutory appeal right to the Appellant.
90. Fourth, repeated reference was made to the submission of late evidence by the Appellant. However the only change of any substance that has been made to the Appellant's proposals is the inclusion of Burnt Common slips as highways mitigation, which was discussed in the Appellant's proofs of evidence that were submitted in accordance with the bespoke timetable for the appeal. Transport Technical Note 1¹⁴⁴ was a submission made to Highways England at the latter's request on 18 September 2017. Moreover (as the Inspector observed)¹⁴⁵ it contained a detailed technical transport submission under the Design Manual for Roads and Bridges ("**DMRB**"). This was of little if any relevance to the concerns raised by third parties.

¹⁴¹ The Appellant further notes that in a recent speech to council leaders at the Local Government Association's annual conference, the Communities Secretary Sajid Javid said that families living in some of the most sought-after parts of the country would have to accept more homes being built near them to tackle the housing crisis and that he wanted communities which had benefited from soaring property prices to play their part in solving the problem: <http://www.telegraph.co.uk/news/2017/07/04/families-living-wealthiest-parts-country-must-accept-new-homes/>.

¹⁴² ID54.

¹⁴³ The costs applications are based on a similar (misconceived) theme.

¹⁴⁴ ID4.

¹⁴⁵ Ruling on Day 2 of the Inquiry (20 September 2017).

91. Fifth, it is well established that the identity of the applicant is generally not relevant to the decision on whether planning permission should be granted.¹⁴⁶ The Appellant refutes entirely the wholly unfounded inferences and allegations of wrongdoing made against it by third parties.

3. Main issues

3.1. The effect of the proposals on the openness of the Green Belt and on the purposes of including land in the Green Belt

3.1.1. Definitional harm

92. The Appellant does not dispute that the Appeal Scheme is "*inappropriate development*"¹⁴⁷ for the purposes of para. 87 of the NPPF such that it is, by definition, harmful to the Green Belt. It is accepted that this must be given substantial weight in the balance and has been¹⁴⁸.

3.1.2 Openness

93. The Appellant also accepts that the Appeal Scheme will impact on the openness of the Green Belt¹⁴⁹. However, in arriving at a proper assessment of the extent of the impact and then of the consequences of that impact in the overall planning balance, a number of points must be considered.

94. First, GBC recognises that there will have to be release of Green Belt land¹⁵⁰. 89% of the borough lies within the Green Belt and Mr Collins explained in evidence-in-chief that the June 2017 Land Availability Assessment ("**LAA**")¹⁵¹ shows that the borough's urban capacity would not enable even the "*interim*" housing figure of 322 dpa to be met, still less the figure of 654 dpa identified in the March 2017 SHMAA Addendum.¹⁵² The inevitability of the need for Green Belt release is also, as noted elsewhere, recorded in the OR and the foreword to the June 2017 eGBLP.

95. Second, GBC's own GBCS¹⁵³ acknowledges that a loss of openness is inevitable on any site on which a new settlement is introduced within Guildford borough¹⁵⁴. The Appeal Site has been chosen by GBC for release

¹⁴⁶ See e.g. *Basildon DC v Secretary of State for the Environment, Transport and the Regions* [2001] JPL 1184.

¹⁴⁷ Parts of what is proposed e.g. the SANG and playing fields are not in themselves inappropriate development but the Appeal Scheme must be judged as a whole. The point raised by WAG in closing (para. 23) about the SANG car park being inappropriate development is really neither here nor there.

¹⁴⁸ See Mr Collins's proof at para 10.11; the suggestion made to Mr Collins in XX by Mr Bird QC (twice) that he did not as required by the NPPF afford substantial weight to this harm is unfounded.

¹⁴⁹ Mr Bird QC in XX of Mr Collins sought to suggest that he had not had regard to impact on openness. He clearly did see e.g. para. 23.7 of his proof and his answers in RX.

¹⁵⁰ See footnote 4 above.

¹⁵¹ CD8.25.

¹⁵² CD8.23.

¹⁵³ The status of, and weight to be given, to this study is dealt with above. It is a key part of GBC's up-to-date evidence base for the eGBLP: see CD8.19 section 3.

because it has been assessed as being less sensitive in Green Belt and other terms than would be the release of land elsewhere¹⁵⁵. The SA states that "a large scheme at Wisley Airfield avoids the need to place pressure on the most sensitive Green Belt and/or landscapes designated as being of larger-than-local importance"¹⁵⁶. It rates the Appeal Site as amber¹⁵⁷ (as contrasted to more sensitive "red-rated" areas).¹⁵⁸ Bringing forward the Appeal Scheme will thus protect the more sensitive areas of the borough's Green Belt¹⁵⁹ and also designations such as the AONB.

96. Third, the extent of the Appeal Scheme's impact on openness must be properly understood. The Court of Appeal in *Turner v SSCLG* [2016] JPL 1092¹⁶⁰ held¹⁶¹ that a number of factors are capable of being relevant when it comes to applying the word "openness" to the particular facts of a specific case. "Prominent" among those factors are (i) visual impact¹⁶² and (ii) how built up the Green Belt presently is and would be following development. In *Goodman Logistics Developments (UK) Ltd v SSCLG* [2017] EWHC 947 (Admin) Holgate J considered the effect of the decision in *Turner*:

"[82] It is plain from *Turner*, which is binding on this court, that visual impact, as well as spatial impact, is relevant to the assessment of the effect of a development on openness. The absence of visual impact is insufficient to found a conclusion that there is *no* impact on the openness of the Green Belt, but there is nothing in *Turner* to support the SSCLG's proposition that on a correct interpretation of the NPPF, an assessment of the visual impact of a development cannot ameliorate the harm to openness attributable to the spatial impact of that development.

...

[85] I conclude that there is nothing in Mr Buley's analysis of the case law to justify the proposition that on a true interpretation of Green Belt policy, the visual effect of a development cannot be taken into account as reducing the spatial or physical harm that a development would cause to the openness of the Green Belt. Instead, I agree with Goodman that the principles on Green Belt policy laid down in *Turner* support their contention that it is relevant to take into account visual perception as a factor which may reduce the spatial harm from the effect of a development on the openness of the Green Belt" (original emphases).

97. Thus in assessing impact on openness, the extent to which proposed development is visible will be relevant.
98. As regards visual impact, the only Landscape and Visual Impact Assessment ("LVIA") before the Inquiry is that produced by Mr Davies. His evidence is discussed in detail below in relation to Main Issue 8 but (in summary) is that the Appeal Site benefits from strong enclosure around its boundaries and is not widely influential within the wider landscape; moreover the Appeal Scheme would result in these boundaries being further reinforced. That is supported by GBC's own GBCS, which refers at para. 24.76 to "the visual enclosure

¹⁵⁴ CD 8.8 para. 24.76.

¹⁵⁵ Mr Collins in his EinC referred to the Green Belt plan in appendix 3 of the Planning Statement (CD2.15); this helps to show the context.

¹⁵⁶ CD8.31, p.21, Box 6.6.

¹⁵⁷ The SA records GBC's view that in terms of the Policy A35 the impact on the Green Belt would be "moderate": CD8.31 p 21 box 6.6 third bullet from the end and p. 79, para. 10.11.4.

¹⁵⁸ *Ibid.* at 10.11.4.

¹⁵⁹ Which we know forms 89% of the Borough.

¹⁶⁰ CD 11.22.

¹⁶¹ At [14].

¹⁶² Mr Sherman agrees at para. 7 of his rebuttal that openness has a visual factor.

provided by woodland and hedgerows" as one of the factors that justifies the loss of openness that would occur within the Appeal Site; moreover the summary conclusion on the Appeal Site namely that it has the potential to accommodate a new settlement is said to be justified by, *inter alia*, that "[w]hen combined with the previously developed nature of much of the site, and partly enclosed nature of it¹⁶³". The conclusion reached by Mr Davies is that adverse landscape and visual impacts from the Appeal Scheme are localised and no widespread significant harm is caused. This considerably limits the extent to which openness would be impacted¹⁶⁴.

99. As to the openness of the Appeal Site at present, it is common ground that approx. 30 hectares of it is PDL. That constitutes a significant proportion of the Appeal Site (26%). Moreover, approximately 16.75 hectares of the Appeal Site benefits from an extant planning permission for an In-Vessel Composting ("IVC") facility, which comprises a composting building measuring 160m x 70m x 11.7m to ridge, with standing 9.2m above the ridge.¹⁶⁵ These matters are relevant to openness both in the strategic and visual sense; there is not currently an absence of development on the Appeal Site. Further, the PDL has a negative visual impact within the Appeal Site.
100. As regards how built up the Green Belt would be following development, critically the Appeal Scheme includes 65 hectares of interlinked green infrastructure, including approximately 50 hectares of SANG provision.
101. To conclude on openness, the spatial impact that the Appeal Scheme would have is reduced having regard to the fact that a significant proportion of the Appeal Site is presently PDL and that an even more significant proportion of the Appeal Site would be public open space (and other forms of green infrastructure) following development of the Appeal Scheme. That spatial harm is further reduced by the fact that the adverse visual impact of the Appeal Scheme would be limited and localised: see *Goodman*. In addition, when the impact on openness is taken into account in the planning balance it must be acknowledged that a release of Green Belt land in Guildford borough is inevitable, that a loss of openness is similarly inevitable on any site on which a new settlement is introduced within the borough and that bringing forward the Appeal Scheme will enable more sensitive parts of the borough's Green Belt to be protected.

3.1.3. Green Belt purposes¹⁶⁶

¹⁶³ Emphasis added.

¹⁶⁴ Confirmed by Mr Collins in his oral evidence (RX).

¹⁶⁵ See para. 5.2 of the proof of Mr Davies and also CD4.10 at para. 21 of the Inspector's report.

¹⁶⁶ In XX Mr Harwood QC raised with Mr Collins a sequential preference for release of Green Belt sites adjoining towns but there is no policy support for this approach.

102. It is the Appellant's case that only one of the five purposes of including land in the Green Belt¹⁶⁷ would be offended by the Appeal Scheme - namely, safeguarding the countryside from encroachment. That position is supported by the evidence of both Mr Collins and Mr Kiely. It is also supported by the GBCS, which explains that the land parcel within which the Appeal Site lies *"is not one of the parts of the borough that best serves the purposes of the Green Belt"*.
103. The that of offence to the purposes of the Green Belt is relevant to whether there is harm to the Green Belt, and if so how much¹⁶⁸.
104. As regards each of the five Green Belt purposes, the Appellant comments as follows:
105. **Checking the unrestricted sprawl of large built-up areas.** The Appellant considers that the GBCS was entirely correct to conclude that *"[d]ue to the airfield site not adjoining the main urban areas within the borough, it does not offer the opportunity for such urban areas to sprawl within it. As a result the Green Belt does not serve this purposes in this location"*.¹⁶⁹ Only Mr Miles asserted that the Appeal Scheme would conflict with this purpose,¹⁷⁰ arguing that properly understood the purpose was for the Green Belt *"as a whole, to stop the urban sprawl of London"* and that it ought not to be *"salami sliced"*. However, as Mr Collins explained in evidence-in-chief, it is clear from para. 83 of the NPPF that Green Belt boundaries are to be altered at the local level, through the preparation or review of the Local Plan - national policy does not provide for the entirety of the Green Belt around London to be considered *"as a whole"*. Furthermore, whilst Mr Miles in cross-examination referred to the views expressed by the London Green Belt Council, the latter is a pressure group and as such only limited weight should be given to its views (particularly in circumstances where they have only belatedly commented in respect of the Appeal Scheme).¹⁷¹
106. **Preventing neighbouring towns merging into one another.** The GBCS conclusion was that *"[I]and parcel C18 did not include any settlements, and as a result there was not the potential for development within this part of the Green Belt to result in coalescence between existing neighbouring towns, and the land parcel was not considered to serve this purpose accordingly..."*. In the Appellant's submission, having regard to the extent of the separation between the Appeal Site and the towns in that part of the Borough it is obvious that the Appeal Scheme would not offend this second Green Belt purpose. Mr Miles again stood alone in contending for the contrary conclusion.

¹⁶⁷ NPPF para. 80 (CD9.1).

¹⁶⁸ See Perrybrook CD10.2 at DL11 (and DL19 - 21) and contrast what seems to be suggested in closing by GBC at para. 17 that this sits on the benefits side.

¹⁶⁹ CD8.8, "Stage 4" within the appendices.

¹⁷⁰ Para. 6.2.29 of his proof.

¹⁷¹ EinC of Mr Collins.

107. **Safeguarding the countryside from encroachment.** The Appellant accepts that the Appeal Scheme would conflict with this Green Belt purpose. It notes however the following passage from the GBCS:

"...some responses to the publication of Volume II have suggested that encroachment in the countryside should relate to the potential to introduce any development to the countryside, without it needing to extend / encroach from an existing cluster of development. If such an approach is taken, the development of the PMDA would of course represent a significant encroachment in the countryside. However, this will always be the case wherever a new settlement is introduced to the Green Belt.

As a result, whilst recognising that this purpose of the Green Belt is currently active in this location, the introduction of a new settlement will be considered to represent an encroachment in the countryside in the vast majority of locations, rather than this particular site being more sensitive than most in terms of this purpose".

The Appellant reiterates that the Appeal Scheme is, as the GBCS acknowledges, less sensitive than other parts of the borough's Green Belt.

108. **Preserving the setting and special character of historic towns.** As the GBCS explains, "*[i]f the precise wording of this purpose is followed, then there are no historic towns in the vicinity of the airfield, and as a result development of it would not conflict with the intentions of the purpose*". In the Appellant's submission the precise wording of para. 80 of the NPPF should be followed. The Appeal Scheme does not offend this purpose.

109. Mr Sherman is the only professional witness to assert that the Appeal Scheme conflicts with this fourth Green Belt purpose. He explained in his oral evidence (i) that he was not asserting that the Appeal Scheme would harm the significance of the Ockham Conservation Area as a designated heritage asset and (ii) that his position was that there would be negligible harm to the Conservation Area but material harm to Ockham Village (which extends beyond the Conservation Area boundaries).

110. Mr Sherman's approach is at odds in this respect with GBC's own GBCS. Notwithstanding the observation set out above (that there are no historic towns in the vicinity of the Appeal Site), the GBCS goes on to use Conservation Areas associated with towns and villages to assess "*whether there is any likelihood of the purpose being active for a particular area*". The conclusion reached is that careful consideration will need to be given to potential impacts upon the Ockham Conservation Area but that "*[g]iven the considerable area of the PMDA and ability to allocate certain land uses to different parts of it in response to the site's constraints, there is considered to be potential to provide a layout that will ensure that this purpose of the Green Belt is satisfied as part of any development of the PMDA*".¹⁷² Para. 24.76 of the main text of the GBCS states that "*[t]he location of PMDA C18-A at Wisley Airfield would not likely affect historic settings due to physical separation from the designated Conservation Area at Ockham village (Purpose 4)*". This view is repeated in the OR (CD6.1, para 10.4.8) "*[w]ith regard to purpose 4, it*

¹⁷² Stage 4 within the appendices.

was considered that the wider land parcel within which the application site sits preserves the setting of Ockham village and its conservation area".

111. Three points should be made here:

111.1. First, GBC have not at any stage expressed concern about the potential impact of the Appeal Scheme on Ockham Conservation Area: see e.g. the OR¹⁷³ at para. 10.20.7: "*[i]t is considered that the proposed development is sufficiently distant from the Ockham Conservation Area such that there would be no material harm to its character and appearance and, therefore, no harm to its significance as a heritage asset*"¹⁷⁴. Dr Massey has assessed the potential impact of the Appeal Scheme on the Conservation Area and has concluded that, at most, there would be less than substantial harm to the significance of the designated heritage asset as a result of increased traffic flows (see below in relation to Main Issue 9).

111.2. Second, the GBCS does not support the view that even if there will be negligible harm to the Ockham Conservation Area (which is the view held by Mr Sherman and GBC), nevertheless the fourth Green Belt purpose is still offended by the impact of the Appeal Scheme upon elements of Ockham Village that fall outside the Conservation Area.

111.3. Third, GBC's case in relation to this purpose sits uncomfortably with the suggestion made by Mr Sherman in his rebuttal that the scheme should have been designed to include Bridge End Farm. Bridge End Farm is closer to, and adjoins, the Ockham Conservation Area.

In any event, Mr Sherman's assertion that the Appeal Scheme would adversely impact elements of Ockham Village beyond the Conservation Area and thus offend the fourth Green Belt purpose is inadequately evidenced. The only written evidence before the Inquiry in support of the allegation of harm to elements of Ockham village beyond the Conservation Area is the bald assertion made at para. 4.12 of Mr Sherman's proof that "*[t]he development proposed [...] would have a significant impact on the setting of the historic village of Ockham and its hamlets*". Conversely, Dr Massey describes Ockham village (as distinct from its Conservation Area) at paras. 8.2, 8.5 and 8.6 of his proof and then considers Mr Sherman's assertion in relation to the fourth Green Belt purpose in detail at paras. 5.1 to 5.6 of his rebuttal. He explained in re-examination that on the northern side of Ockham, the extent of the Conservation Area and the village are more or less the same thing, such that there is in that location not much difference at all in term of the impact of the Appeal Scheme on (i) the setting of the Conservation Area and (ii) the setting of the village. Furthermore, Mr Sherman recognised in cross-examination that the GBCS suggests that conflict with this Green Belt purpose could be avoided.

¹⁷³ CD6.1.

¹⁷⁴ In Mr Collins's oral evidence he explained that the Appeal Site falls within parcels C18 and C18-A both of which are more extensive in terms of land area, including to the south, than the Appeal Site itself.

112. **Assisting in urban regeneration, by encouraging the recycling or derelict and other urban land.** In the Appellant's submission the fifth of the Green Belt purposes is not relevant here, given that (as the GBCS notes)¹⁷⁵ *"the potential for developing this site and other areas on the edge of existing towns and villages is only being explored through the Green Belt and other studies, due to recognition that there is no sufficient suitable urban land within the borough to accommodate the Council's growth requirements"*. This view was also recorded in the OR (CD6.1) paras. 10.4.9 and 10.4.11.
113. In conclusion, it is plain that only one purpose of the Green Belt is served by the Appeal Site and hence its classification as less sensitive than other Green Belt is justified; thus the GBCS notes that *"there are a number of other parts of the borough in which more of the Green Belt purposes are being served by the Green Belt designation"*. While it is accepted that weight must still be given to the harm caused by encroachment into the countryside it is relevant, and highly material, that properly analysed the Appeal Site serves only one of the five purposes of the Green Belt listed in the NPPF. This is a strong indication that the Green Belt harm in developing the Appeal Site is less than it would be at other Green Belt locations. This view is strongly supported by the GBCS – an independent study undertaken on behalf of GBC.

3.2. Whether GBC can demonstrate a five-year housing land supply and the implications for this on local and national planning policy

114. It is agreed that GBC cannot demonstrate a five year housing land supply: it can show only a 2.36 year supply.¹⁷⁶ As the Inspector in the Guildford Road appeal¹⁷⁷ concluded (in April 2016 when GBC's housing land supply stood at about 2.4 years¹⁷⁸), that is a significant shortfall against the requirement.¹⁷⁹ That point is also accepted by GBC.¹⁸⁰ It is additionally accepted¹⁸¹ that GBC has *"a record of persistent under delivery of housing"* such that a 20% buffer falls to be applied pursuant to para. 47 of the NPPF. Mr Sherman in cross-examination agreed that GBC had not been able to show a 5 year housing land supply for some time and did not dispute the figures on p.3 of CD13.59, which show that of the 4,338 residential units for which planning applications were made to GBC between April 2015 and April 2017, 3,670 were either refused or not determined (leaving only 668 consented).

¹⁷⁵ Stage 4 within the appendices.

¹⁷⁶ SoCG between GBC and the Appellant (CD12.3) at para. 6.14.

¹⁷⁷ CD10.7.

¹⁷⁸ Para. 10.

¹⁷⁹ Para. 35.

¹⁸⁰ SoCG (CD12.3) at para. 6.14 and Mr Sherman's XX.

¹⁸¹ *Ibid* at para. 6.16.

115. We return to these matters below under the final main issue. Their importance should not, however, be underestimated simply because they are agreed. Nor should the need for housing beyond 5 years be ignored. The NPPF (para. 47) requires local planning authorities to identify a supply of specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15. The Appeal Site is crucial in this regard. Added to this, the NPPF sets local planning authorities the imperative of significantly boosting the supply of housing.¹⁸² Here, GBC has not - for some time - come anywhere near meeting even the bare minimum requirement of demonstrating a five year housing land supply. GBC is not even meeting its interim housing target of 322 let alone its full objectively assessed need which currently stands at more than twice this at 654.

3.3. The effect of the proposals on the Thames Basin Heath SPA

116. This main issue is focused on possible recreational impacts on the SPA; air quality impacts on ecological receptors are considered under Main Issue 10 below. This main issue arises from RfR2.

117. The following key points arise.

118. First, the planning application was accompanied by what Mr Baker rightly called "*a considerable volume of ecological data*"¹⁸³. The Addendum ES was accompanied by an Information for HRA report (CD8.14) that assessed in considerable detail possible recreational impacts on the SPA and other related issues such as cat predation¹⁸⁴. The Addendum ES as we know was also subject to external independent review by Nicholas Pearson Associates. The considerable work done on these issues has been further supplemented by the proof of Dr Brookbank that provides a lengthy, detailed and comprehensive analysis of the issues.

119. Second, Natural England ("NE") have on these issues been consulted over a long period of time (2014 - 2017) and carried out extensive and careful review. This is summarised at pp. 52 - 60 of Dr Brookbank's proof, and included review on two occasions by NE's High Risk Case Panel. A number of iterations of the Information for HRA reports were consulted upon and considered by NE in draft: see Dr Brookbank's proof at paras. 3.190(3) and 3.192. Detailed consultation with NE has informed development of an appropriately tailored package of impact avoidance and mitigation measures, which has allowed NE to conclude that the Appeal Scheme is unlikely to lead to likely significant effects ("LSE") on the SPA: see Dr Brookbank's proof at para.

¹⁸² Para. 47 of the NPPF.

¹⁸³ Mr Baker's March 2016 report made some criticisms of some of the ecological work done. These points were responded to in Dr Brookbank's App. 1 to her proof and no rebuttal was made to these points by Mr Baker.

¹⁸⁴ See chapters 5 and 6; and see also the main chapter of the ES on ecology (CD14.1.8).

3.181 and App 3. They have also concluded that the mitigation required can be satisfactorily secured: see Dr Brookbank's proof at para. 3.182. Great weight should be given to NE's views in these regards.

120. Third, GBC in the light of NE's position have not sought to pursue RfR2. The SoCG records at p. 28 that this is not pursued because "[t]he proposed Section 106 documents address this reason for refusal" and that the bespoke Impact Avoidance and Mitigation Strategy ("IAMS") is to be secured via the proposed section 106, SANG Management Plan and WACT Framework. The maintenance of the SANG is one of the key functions of the WACT (see above).
121. Fourth, as noted above the conclusion of no LSE by NE and GBC is based on a bespoke package of mitigation that is described in detail in the proof of Dr Brookbank. The package (together referred to as IAMS) consists of:
 - 121.1. a prohibition on any housing within 400m of the SPA in part to deal with cat predation, and also to protect the SPA from significant "urban edge effects";
 - 121.2. 50ha of SANG;
 - 121.3. contribution to the NE Thames Basin Heaths SPA Strategic Access Management and Monitoring ("SAMM") Project, as set out within GBC Thames Basin Heaths Special Protection Area Avoidance Strategy 2017, which delivers visitor access management measures and educational initiatives across the Thames Basin Heaths SPA; and
 - 121.4. bespoke "SAMM Plus" measures that will provide dedicated site-specific heathland access management efforts (most notably 1.5 FTE Ockham and Wisley Wardens) and educational initiatives tailored to local circumstance and need, whilst supporting the wider Thames Basin Heaths initiatives and also funding and providing off-site public rights of way ("PRoW") improvements.
122. This package goes beyond the "standard provision". Thus what is normally required is 8ha of SANG per 1,000 persons which for the Appeal Scheme would generate a requirement for 38.6 ha of SANG whereas 50 ha is proposed. The SAMM Plus is obviously also above and beyond standard provision.
123. The purpose of the IAMS is to secure no net increase in visitor pressure on the SPA. The SANG provides an alternative to the SPA for recreational use. The SAMM contributions and SAMM plus and in particular the warden will seek to address any harm done by users of the SPA.
124. Fifth, Mr Baker, the only ecologist called to give evidence by rule 6 parties confirmed in cross-examination that he does not give any evidence on recreational impacts. It is not difficult to infer why not; the IAMS

clearly means there will be no LSE. The only rule 6 party that has pursued these issues in any detail is the RSPB. They did not though attend the inquiry¹⁸⁵ or call any witnesses; their evidence must for that reason carry less weight than that of Dr Brookbank¹⁸⁶. Moreover, Dr Brookbank in her proof and rebuttal has provided full responses to each and every point raised by the RSPB in its January 2017 Statement of Case (“SoC”) and its August 2017 Further Written Statement and there has been no rebuttal or other come-back from the RSPB. Other points raised on recreational impacts by other rule 6 parties and third parties have also been addressed in Dr Brookbank’s evidence¹⁸⁷. None of the concerns raised by rule 6 parties are shared by NE or GBC.

125. The Secretary of State can thus be assured that in terms of recreational impacts there will be no LSE from the Appeal Scheme.

3.4. The effect of the proposed development on the safe and efficient operation of the strategic and local roads network

3.4.1. Introduction

126. There are a number of points to be made at the outset.

127. First, highways issues have been given detailed and careful consideration in relation to the Appeal Scheme: see e.g. the TAA (CD3.15); the Addendum ES (CD14.1.14); the proof and rebuttal of Mr McKay and ID 4 and 72.

128. Second, GBC have not offered any evidence to support RfR3. This stated that “[i]t has not been demonstrated that the development proposed would not give rise to a severe adverse impact on the safe and efficient operation of the strategic road network (A3/M25), nor that it would not give rise to a severe impact to the efficient operation of the local road network, in particular in Ripley and the junction of Newark Lane / Rose Lane”¹⁸⁸.

129. Third, SCC are entirely content with the highways mitigation package offered¹⁸⁹. SCC thus also offers no evidence against the appeal scheme on transport grounds. This is significant as it is the local highway authority with responsibility for all the roads around the Appeal Site save for the A3 and M25.

¹⁸⁵ Other than for the conditions and obligations session.

¹⁸⁶ Attempts to agree a SoCG with RSPB have been mired by delays on the part of the RSPB in responding.

¹⁸⁷ Dr Brookbank faced almost no questions in XX from any parties on recreational impacts.

¹⁸⁸ See further Mr Sherman’s proof at paras. 2.9 and 2.10 and his answers in XX. The SoCG records (CD12.3) at p. 28 “[t]he proposed Section 106 documents address this reason for refusal including the preference for the delivery of Burnt Common Slip Roads”.

¹⁸⁹ See GBC’s opening at para. 1(iii) (ID6) and the letter from Mike Green at SCC (ID22); it will be recalled that former county councillor William Barker pointed out that Mike Green had done a tour of the area with him and had a very good knowledge of the transport issues related to the Appeal Scheme.

3.4.2. The highways mitigation package proposed including Burnt Common slips

130. Despite vociferous complaints from WAG and other third parties the highway mitigation package proposed is very largely unchanged from TAA save for two connected matters. First, Burnt Common slips – considered below. Second, Ripley mitigation – itself unnecessary because of Burnt Common slips.
131. The mitigation package proposed, and the changes there have been, are set out in an annex to the Appellant’s opening¹⁹⁰.
132. Leaving aside Burnt Common slips the most common complaint has been that the Appellant has changed its position in its evidence on the appeal on proposed local road closures. This is incorrect. While some road closures were proposed in the original TA by the time of the TAA in December 2015 – nearly 2 years ago now – the position was made clear. The proposed mitigation was listed in para. 6.1.7 and remains very closely aligned with what is now proposed. And in para. 6.1.8 it was said that a *“further range of potential mitigation is available in relation to providing for Non-motorised users of Ockham Lane, Plough Lane and Guileshill Lane. These could be implemented if seen as beneficial and if supported by all stakeholders, but are not seen as necessary for the mitigation of the development impacts”*. Thus, the position was clear as long ago as December 2015 that these were not actually proposed, nor seen as necessary but rather they were things that could be implemented if seen as *“beneficial”*. Subsequently it was determined in discussions with SCC not to pursue these further measures¹⁹¹. The TAA looked at Scenarios C and D – the latter taking into account these road closures, the former not.
133. The only transport witness called by parties opposed to the scheme (leaving aside HE who are not concerned with local roads) was Mr Robinson, and he confirmed in cross-examination that he made no criticisms¹⁹² of the proposed mitigation on local roads in terms of its design, layout, safety etc. Indeed, in relation to

¹⁹⁰ In terms of the mitigation proposed on local roads this involves:

- Send Roundabout: see Mr McKay’s proof at paras. 8.59 – 8.62 and scheme drawing 0934/SK/020 Rev C;
- Old Lane / Forest Road Crossroads at Effingham Junction: see Mr McKay’s proof at paras. 8.63 – 8.69 and scheme drawing 0934/SK/053 Rev C;
- Old Lane Site access: see Mr McKay’s proof at paras. 8.70 – 8.73 and scheme drawing 0934/SK/025 Rev K;
- Old Lane/A3 Junction and Old Lane southbound restriction: see Mr McKay’s proof at paras. 8.74 – 8.80 and scheme drawing 0934/SK/017 Rev K;
- Bus turning facility at Station Parade, Horsley: see Mr McKay’s proof at para. 9.5;
- New cycle route to Brooklands and Byfleet including improvements to A245 Parvis Road cycling and crossing facilities: 4.10 and 10.24 – 10.33;
- Funding of bus access improvement works at Effingham Junction station;
- Provision of upgraded bus stops at Effingham Junction and Horsley to serve the stations.

¹⁹¹ See Mr McKay’s rebuttal at para. 2.2 and 2.3.

¹⁹² He did raise an issue as to whether the Horsley turning facility would accommodate a bus but accepted he had not tracked this movement. This is a non-issue as Mr McKay confirmed in his oral evidence.

Effingham Junction he readily accepted in cross-examination that “*it's an overall improvement [as against the current situation] I don't argue with that*”. It should also be noted in passing Mr Robinson confirmed he raised no issues in relation to impacts on the SRN, or construction traffic¹⁹³.

Burnt Common slips

134. The Appeal Scheme will either deliver or fund Burnt Common slips. This mitigation was introduced following discussions with GBC and SCC on the section 106 agreement submitted with the appeal. Both authorities strongly support this proposed mitigation; and their position of not adducing evidence in support of RfR3 is predicated on the delivery of Burnt Common slips, see for example the SCC letter of support at ID22 which says that the impacts of the Appeal Scheme will not be severe on the basis of, *inter alia*, the provision of Burnt Common slips.

135. There are a number of points to make about Burnt Common slips:

135.1. Burnt Common slips have been included in the eGBLP and evidence base since June 2016 – see policy A43a and see the draft GBC Infrastructure Delivery Plan 2016¹⁹⁴; the Guilford Borough Transport Strategy 2016¹⁹⁵; the Topic Paper: Transport June 2016 (CD 8.20¹⁹⁶) and the GBC Strategic Highway Assessment Report¹⁹⁷;

135.2. Burnt Common slips are also safeguarded in the June 2017 version of the eGBLP, and draft Policy A35 has been amended to add a requirement that “[t]he identified mitigation to address the impacts on Ripley High Street and surrounding rural roads comprises two new slip roads at A247 Clandon Road (Burnt Common) and associated traffic management” (see (4)¹⁹⁸);

135.3. The revised, and updated evidence base for the June 2017 eGBLP also deals in a number of places with Burnt Common slips, including the benefits and delivery of the same¹⁹⁹;

135.4. The Burnt Common slips provide two principal benefits²⁰⁰:

¹⁹³ A condition provides for approval of a Construction and Environmental Management plan (draft condition 5). This will deal with concerns, including those of Mr & Mrs Paton, on construction impacts.

¹⁹⁴ CD8.16 where these slips are referred to as SRN9 and 10, see p. 68.

¹⁹⁵ CD8.18 pp 9, 10 and 22.

¹⁹⁶ Para. 5.52 of which says “[n]ew north facing junctions to the A3 are also proposed at the A247 Burnt Common interchange. These accesses are referenced as SRN9 ‘A3 northbound on-slip at A247 Clandon Road’ and SRN10 ‘A3 southbound off-slip at A247 Clandon Road’ in the Appendix C Infrastructure Schedule. These junctions are being promoted to mitigate the impact of the level of strategic planned growth and in particular the development traffic flows resulting from the development of a new settlement at the former Wisley airfield site (site allocation Policy A35), as well as limiting any increase in traffic joining and leaving the A3 at the Ockham interchange”.

¹⁹⁷ CD8.21, see paras. 4.5.6; 4.7.9; 4.7.12 & 4.11.6 and fig. 4.11.

¹⁹⁸ The policy does allow though for infrastructure listed in the Infrastructure Delivery Plan, and which includes Burnt Common slips “*alternative interventions which provide comparable mitigation*” (see (5)).

¹⁹⁹ See e.g. the Topic Paper: Transport (CD 8.28) at paras. 5.52, 5.53, 5.56 and 5.57 and also see CD8.29, 8.33 and 8.34.

²⁰⁰ See Mr McKay’s proof at paras. 4.4 and 8.5.

- 135.4.1. They allow traffic to join and leave the A3 before reaching Ockham Interchange, creating headroom at that location on the SRN in response to concerns expressed by HE about the capacity of the northbound on slip road;
- 135.4.2. They reduce significantly traffic through Ripley and on other local roads²⁰¹ allowing the growth planned in the eGBLP including the Appeal Scheme²⁰²;
- 135.5. By alleviating existing traffic issues on the A3 itself and on local roads Burnt Common slips allow the development proposed in the eGBLP to come forward. Thus the provision of Burnt Common slips via this appeal provides wider economic benefits above and beyond those that derive from the Appeal Scheme (as to which see below). These benefits are very substantial running to hundreds of millions of pounds in gross value added as well as thousands of jobs. This is all set out in paras. 9.7 – 9.12 of Transport Technical Note 1²⁰³ and has not been challenged by any evidence given by any rule 6 parties. In cross-examination Mr Sherman recognised the wider benefits that Burnt Common slips bring could thus be seen as important benefits of the scheme. Those benefits form part²⁰⁴ of the Appellant’s case that there is VSC: see below²⁰⁵;
- 135.6. As Mr Bird QC pointed out on Day 2 WAG did not object in representations on the 2016 or 2017 versions of the eGBLP to Burnt Common slips. The extent to which any of the other rule 6 parties objected to Burnt Common slips is unclear²⁰⁶. Cllr Cross indicated that RPC objected; if so this is bizarre as Ripley is the village that benefits most from the Burnt Common Slips²⁰⁷. Moreover, it is clear that the chair of the Lovelace Neighbourhood Plan Group accepts that impacts on local roads “*could be partly mitigated by the creation of additional access to the A3 at Burnt Common*”²⁰⁸;
- 135.7. Burnt Common slips are not within the Appeal Site or something for which consent is being sought on this appeal. Rather the section 106 agreement provides for the Appellant to deliver them or to pay for their delivery. Despite this Mr Harwood QC has continued to erroneously argue²⁰⁹ that the Appellant has changed its scheme²¹⁰;

²⁰¹ E.g. the junction referred to in paras. 15 and 16 of Mr Harwood’s proof namely the A3 Junction with A3100 Clay Lane, Burpham – Junction with A247 Clandon Road, Burnt Common Northbound.

²⁰² See also the GBC Strategic Highway Assessment Report June 2016, CD8.34 at para. 4.7.9.

²⁰³ ID4.

²⁰⁴ The Appellant says there would be VSC even without the provision of Burnt Common slips, and this was the case of the Appellant in the Planning Statement and SoC when Burnt Common slips was not proposed to be delivered via the Appeal Scheme.

²⁰⁵ Mr Collins’s EinC provided further details on the benefits including “*likely dependent development*” of c. 3,000 dwellings (including the Appeal Scheme) and c. 12,000 sq m of employment floorspace.

²⁰⁶ It appears though that the Horsley Parish Councils did not object to Burnt Common slips in the June 2016 eGBLP.

²⁰⁷ See Mr McKay’s proof at para. 8.55 and his evidence in RX. It was evident from Cllr Cross’s XX of Mr McKay that he totally misunderstood what the effect of Burnt Common slips would be and the extent of the benefit it would bring. This misunderstanding might well explain RPC’s objection which would otherwise best be characterised as cutting off their nose to spite their face.

²⁰⁸ See CD13.4 which are the Group’s notes of a meeting on 10 April 2017, and note also that the secretary of the group is a RPC councillor.

²⁰⁹ See closing para. 20.

²¹⁰ This submission was expressly rejected by the Inspector in his ruling on Day 2 allowing Transport Technical Note 2 to be admitted in evidence.

- 135.8. In due course Burnt Common slips would be the subject of a separate process. Mr Harwood in his oral evidence said that the slips would need to be delivered by a “*side roads order*” – that is an order under s. 14 of the Highways Act 1980. While that power could be used it is not accepted by the Appellant²¹¹ that they would have to be delivered under such powers but they clearly could be. Also, HE can delegate its powers: see s. 6 of the Highways Act 1980 e.g. to SCC. Such orders are subject to the procedures in Schedule 1 and 2 of the Highways Act 1980 so if there are objections an inquiry must be held. There is also not surprisingly a requirement for EIA: see s. 105A of the Highway Act 1980;
- 135.9. Complaints have been made by WAG as to a lack of assessment in the ES of Burnt Common slips; this is dealt with fully above and in ID3. In addition, HE as part of the processes by which it is considering the Burnt Common slips has, in accordance with normal procedure, required information on environmental issues²¹². This is covered in Transport Technical Note 1²¹³ in terms of air quality and ecology – the only environmental issues being pursued by WAG. Moreover, Professor Laxen and Mr Baker both accepted that their evidence was wholly unaffected by whether Burnt Common slips was provided or not. No other environmental issues (e.g. noise etc.) have been raised in relation to the slips. And, of course, we know WAG don’t actually object to the slips (see above);
- 135.10. The land required by Burnt Common slips is subject to an option agreement between the owners and GBC. Moreover, this land is safeguarded under draft Policy 43a. That policy makes no express link to the Garlick’s Arch allocation in A43. Given the strong support for the slips SCC and GBC have indicated a willingness to use CPO powers if necessary to secure the land²¹⁴. Mr McKay in re-examination expressed the view that it was highly likely that if necessary CPO would be used²¹⁵. That view was based on his experience of the use of CPO on other schemes and his discussions with SCC and GBC. The Secretary of State can have a good level of assurance that Burnt Common slips will happen given their importance to the eGBLP²¹⁶.

136. The position of HE on Burnt Common slips, to which they do not object in principle, is set out below.

3.4.3. Issues raised by rule 6 parties on traffic impacts

3.4.3.1. Introduction

²¹¹ As Mr McKay made clear in XX by Mr Westaway.

²¹² See Mr Harwood’s proof at para. 53 referring to the requirements of Circular 02/2013.

²¹³ ID4.

²¹⁴ It should further be noted that Mr Green (for SCC) has said “*but we're mindful that we want to avoid the possibility that your client might be held to ransom by another land owner on this matter*”: see the appendices to Mr McKay’s proof at p.156.

²¹⁵ A view endorsed in GBC’s closing at para. 68; and the costs are provided for in the s. 106.

²¹⁶ See Mr McKay’s evidence in RX. The value of the land the subject of Policy A43a is as agricultural land absent the Garlick’s Arch allocation and if that site is allocated the option is effective and CPO is not required.

137. Leaving aside for the moment HE the other rule 6 parties between them called only one transport witness namely Mr Robinson on behalf of the Horsley Parish Councils. The issues he raised concerned: (i) traffic modelling; (ii) cycling safety; (iii) the bus proposals; and (iv) the environmental/safety impacts on Ockham Lane. Matters (i), (ii) and (iv) are considered further below in this section; the bus proposals are considered under Main Issue 5.
138. WAG called no evidence on transport issues, as is confirmed in Mr Kiely's proof at para. 5.07 and in cross-examination. Despite this Mr Harwood QC on behalf of WAG was granted the considerable indulgence of cross-examining Mr McKay on issues on which his client had called no evidence and advanced no case. The issues raised by WAG are considered below but it must be noted at the outset that they have through evidence advanced no case at all on transport issues.
139. The evidence of Mr Robinson can, it is submitted, be given very little weight for the following reasons:
- 139.1. He was wholly unaware when called to give evidence that GBC and SCC were not pursuing RfR3 and 4 despite this being clear from the SoCG, GBC's proofs and the Appellant's proofs;
 - 139.2. He had not even read the transport chapter of the Addendum ES;
 - 139.3. Large parts of his proof appear to be based on the TA, with it being far from clear that he ever looked at the TAA;
 - 139.4. His proof is written without a single mention of the severe test in para. 32 of the NPPF²¹⁷ and it was only in evidence-in-chief that he identified what he considered were the severe traffic impacts that arise from the Appeal Scheme namely: (i) cycling safety; and (ii) environmental impacts on Ockham Lane;
 - 139.5. He was wholly unaware of some of the fundamental concepts that underlie the verification of modern traffic models, such as GEH. He had never heard of this and had to telephone Mr McKay shortly before the inquiry to ask what it was. This is somewhat extraordinary as it is a standard WEBTAG statistical measure. It is fundamental to the verification of all traffic models not just SINTRAM²¹⁸. Moreover, it is in fact described in the TAA appendices and Mr McKay's proof which it does not seem that Mr Robinson had read or understood before his call to Mr McKay. It is plain that Mr Robinson has

²¹⁷ Mr Robinson's proof cited para. 32 of the NPPF in two places (paras. 3.4 and 3.31e)) without mentioning the severe test. His only mention of the word "severe" coming in para 4.3 in the context of the views of respondents to a survey. The proof reads like a proof from pre-NPPF days; the major change effected by para. 32 goes wholly unacknowledged in Mr Robinson's proof. In the *Redhill* case Sullivan LJ noted that the introduction of the severe test in the NPPF was a major change in national policy and made clear that planning permission should only be refused on transport grounds where the residual impacts were severe. So if the conclusion is that there will be transport impacts even after the proposed mitigation but those impacts fall short of being severe then that is not according to the NPPF a basis for refusal of permission. According to the Oxford English Dictionary severe means "Grievous, extreme".

²¹⁸ Mr McKay said in his oral evidence that if you don't know about GEH it very much reduces your ability to review modelling.

no experience of the construction, validation or management of modern traffic models²¹⁹. He readily accepted in cross-examination that he had no direct experience of the SINTRAM model used here;

139.6. Mr Robinson's proof lists a number of what are said to be anomalies in the Appellant's traffic modelling and when asked in evidence-in-chief if he had similar concerns in relation to the further modelling provided in Mr McKay's proof and appendices he made clear he didn't know because he had not had a chance to consider them – despite the proof having been provided 6 weeks before²²⁰.

More could be said in this regard but perhaps this is a case of least said the better.

140. Before considering the issues raised by Mr Robinson further it is necessary to recall that para. 32 of the NPPF is clear that development should only be prevented or refused on transport grounds where the residual cumulative impacts are severe.

3.4.3.2. Traffic modelling issues

141. This section will be structured under these headings:

141.1. The verification/auditing process undertaken in respect of the Appellant's traffic modelling;

141.2. The issues raised by Mr Robinson on behalf of the Horsley Parish Councils;

141.3. The issues raised in Professor Laxen's supplementary proof and in cross-examination by Mr Harwood QC of Mr McKay.

3.4.3.2.1. Modelling verification/audit

142. The following matters are key:

143. First, the TA submitted in December 2014 was largely replaced by a comprehensive TAA in December 2015, along with a fully substituted new transport chapter in the Addendum ES. The ES as we know was reviewed twice by Nicholas Pearson Associates for GBC²²¹. Moreover, the ES was subject to a scoping process with SCC on *inter alia* transport matters before it was submitted²²².

144. Second, the traffic generation and trip distribution for the Appeal Scheme was agreed by SCC: see Mr McKay's proof at paras. 5.1 and 5.6 and his evidence in cross-examination and re-examination. Any suggestion that these matters were not in fact agreed has no proper evidential basis whatsoever and really

²¹⁹ Mr McKay in his EinC said that while Mr Robinson has a broad range of experience his not knowing about GEH did illustrate a fundamental gap in his knowledge and experience in this key area of his case and hence one should be wary on his observations on the model.

²²⁰ He said "I haven't had time to check them to the same level so I can't answer whether anomalies still pertaining today".

²²¹ See e.g. CD14.1.16 pp. 16 - 17 and CD14.1.17.

²²² See CD14.1.14, p. 5 para 14.2.34.

should not have been pursued in cross-examination by Mr Harwood QC on behalf of WAG²²³. Indeed, in cross-examination Mr Robinson, the only opposing transport witness who dealt with these issues, accepted the trip generation or distribution used by the Appellant²²⁴.

145. Third, the modelling used by the Appellant has been the subject of lengthy and detailed processes of audit and verification²²⁵. The model used was SINTRAM; which is being used by SCC to support the eGBLP. The validation was undertaken in accordance with WEBTAG “the standard normally used as a basis for local model validation”²²⁶. WSP was given a copy of the SCC model to allow local validation²²⁷. WSP has a dedicated team of experts on modelling engaged by a number of UK and overseas public bodies and developers and who also do work for HE across the UK. WSP found some anomalies in the model and sought to rectify these. The modelling was then repeatedly audited by SCC and is now agreed to represent the local network in accordance with WEBTAG and is fit for purpose. The model has thus been subject to significant authority-validated improvements²²⁸ and has reached a stage where neither SCC nor HE are seeking further work (*ibid.*). Indeed, HE are using the Appellant’s modelling in stage 1 and 2 of their RIS work, something that lends further credibility to the modelling. There is attached to the TAA²²⁹ a local model validation report dated September 2015, the base modelling for which was audited and passed by Emma Brundle at SCC, a Senior Transport Planner, and “fastidious” auditor²³⁰. She declares in an email dated 16 October 2015 (*ibid*) that she is “very content with it”. The validation process involved network refinement by adding local roads and junctions (see section 3); zoning (section 4); and validation and calibration using GEH. In his oral evidence Mr McKay described this as a full new validation process, which involved considerable time and cost²³¹.

146. There was a further audit in September 2016. This followed a request from SCC to make changes to the model; having done that WSP re-ran a check of the model validation. A full revalidation was deemed unnecessary and this work was passed by SCC²³². The model was found to be sufficiently robust to be used with the changes such as to be acceptable to SCC without the need for a further full validation; that said it is

²²³ Moreover, his XX focused on utterly insignificant issues about trips by employees to the proposed primary school: see below.

²²⁴ See Robinson XX answers.

²²⁵ See Mr McKay’s proof at para. 3.12, his rebuttal at para. 4.12 and his EinC Mr McKay in his EinC explained that while he is not himself a modelling specialist as a Project Director on many large housing development proposals he regularly deals with model commissioning, validation and forecasting using a wide range of strategic models. As such he regularly reviews reports including the levels of validation achieved. His work also includes being asked by local authorities to adopt refinements of the outputs from models to take account of the inevitable local variations in results between the model and on-site counts.

²²⁶ See Mr McKay’s proof at para. 5.8. In XX Mr Robinson accepted that he could not dispute that SCC had concluded that the validation undertaken was fully WebTAG compliant.

²²⁷ See Mr McKay’s proof at para. 5.10.

²²⁸ Mr Robinson accepted in XX that “of course a model once validated is a more valid one than one that’s not”.

²²⁹ CD3.14 App. E.

²³⁰ As Mr McKay described her in his oral evidence.

²³¹ In XX Mr Robinson indicated he was not disputing the methodology by which the modelling was undertaken, and validated. His complaint was he said with the “outputs”.

²³² See Mr McKay’s proof App. B.

clear that an updated Local Model Validation Report was provided (App. B Mr McKay's proof) and that this allowed SCC to indicate that the audit was "passed".

147. In May 2017 a further run of the model was undertaken and this was the basis for the modelling evidence in Mr McKay's proof. Following this²³³:

147.1. No request for any further work on the modelling has been made by SCC;

147.2. Mr McKay has attended a number of meetings and had extensive correspondence with Mr Green and other officers at SCC none of whom have ever raised any issues with the modelling or validation;

147.3. SCC wrote to PINS²³⁴ in September 2017 supporting the Appeal Scheme and raising no modelling issues, as Mr McKay said in re-examination, if SCC had any remaining issues they would have raised them;

147.4. Moreover, we know what SCC's final position is from the email exchange between Mike Green of SCC and Martin Knowles on behalf of GBC (ID86):

"Despite SCC not formally signing off various aspects of the inputs to the Transport Assessments, SCC are content that the Transport Assessment work prepared by WSP on behalf of WPIL has enabled SCC to adequately assess the impact of the development proposals on the local road network and the mitigation required. This has resulted in SCC removing their highway objection subject to the highway and transport mitigation currently before the Appeal being secured in any planning consent and obligations"²³⁵.

148. In contrast to the above in cross-examination Mr Robinson accepted that he had not carried out any sort of technical audit of the modelling using WEBTAG or any other method.

3.4.3.2.2. The issues raised by Mr Robinson

149. It is difficult to make much of the points Mr Robinson raises. There are a number of points:

150. First, in paras. 5.6-5.38 of his proof Mr Robinson sets out his thoughts on the differences in flows across the network. The fact is that with any strategic model assignment there will be variations on different links and to deal with this, SCC requested WSP deal with these variations in traffic flows using a factoring process utilising the observed flows. This is set out in para. 4.7 of Mr McKay's rebuttal and Mr Robinson had no criticisms of this other than to say that he did not understand parts of it. Mr McKay was correct to say in his evidence-in-chief that it was brave of Mr Robinson to criticize the model outputs given his limited understanding of the modelling and validation processes. Furthermore, Mr Robinson took issue with the use of average peak period flows output by SINTRAM, rather than peak hour flows. In fact, Mr McKay's

²³³ All confirmed in RX by Mr McKay.

²³⁴ ID22.

²³⁵ That is the context in which one must read the comments made by Mike Green in the earlier email relied on by the Horsley Parish Councils (see their closing at para. 67).

thorough explanation in para. 4.7 of his rebuttal shows that the adjustments made to SINTRAM outputs also take account of the potential differences between peak hour and average peak period flows in the detailed capacity assessments of the offsite junctions.

151. Second, in relation to the “*differences*” Mr Robinson draws attention to it is difficult to see what if any point he draws from these. This, for example, in relation to Ockham Interchange²³⁶ having referred to various outputs from the model he discusses the noise impact from this traffic, but in cross-examination accepted there was no noise issue at this Interchange. Furthermore, ultimately, Mr Robinson did not suggest in either his written or oral evidence that there were any severe impacts on any of the junctions he commented on in his proof, including Effingham Junction crossroads. This reflects the position of Mr McKay, GBC and SCC.
152. Third, Mr Robinson’s evidence infers that some of the traffic flows do not make sense²³⁷ because “*these pairs, generally, should be roughly equal as they represent opposing flows*”. In general terms, new developments would see a higher exiting flow in the morning peak hour and then a higher returning flow in the evening peak hour. Also routes into employment centres would see higher inbound flows in the morning and higher exiting flows in the evening peak hours. The links in and around the Appeal Site will contain a mix of traffic moving to different locations and would not conform to this simplistic idea of traffic movements. For example, a review of the observed traffic flows from the June 2016 Manual Classified Counts show that 302 vehicles head north from Forest Road to Horsley Road, however only 199 make the returning journey²³⁸. The traffic survey is contained within Appendix KK of Mr McKay’s rebuttal. It is evident that, given the strategic nature of the highway network and the many route choices available, traffic is utilising a number of routes to reach its destination, which the model is replicating. It is therefore inappropriate and overly simplistic to suggest the opposing flows should be roughly equal²³⁹.
153. Fourth, Mr Robinson raised issues about the Effingham Junction crossroads²⁴⁰ questioning the queuing predicted by the model at this junction based on a survey undertaken by the Horsley Parish Councils²⁴¹. Regrettably the modelling outputs referred to by Mr Robinson come from the TA, not the TAA. In any event there are proposals for mitigation works at this junction that will reconfigure the junction²⁴². The revised layout has been tested by modelling and the mitigation approved by SCC. Mr Robinson accepted the mitigation would be an improvement and that with these works the queuing patterns would change and

²³⁶ See his proof at paras. 5.16 – 5.19.

²³⁷ See para. 2.12 of his proof and his oral evidence, and ID25.

²³⁸ And again, Old Lane south to Howard Road sees 168 vehicles in the morning peak hour, with only 34 making the return trip.

²³⁹ See Mr McKay’s rebuttal at paras. 4.8 – 4.10.

²⁴⁰ In paras. 5.9 – 5.43 of his proof.

²⁴¹ Without any expert input.

²⁴² See Mr McKay’s proof at paras. 8.63 – 8.64.

could only be predicted by modelling. The reason the junction was modelled, and mitigation proposed, was to deal with concerns raised by GBC and SCC on queuing; which issues have been resolved by that mitigation. The mitigation proposed is the same as that considered at the Howard of Effingham appeal heard earlier in the year and has also passed a road safety audit²⁴³.

154. Fifth, Mr Robinson wrongly referred to “*coarseness of the model*” as meaning “*not very accurate*”. This is incorrect; and misunderstands the modelling. In the context of this model it is referring to the model’s larger degree of granularity in these areas, meaning that not every side road in the network has been coded. This is how most models are built, with the extremities containing a coarser coding with more detail in the study area²⁴⁴.
155. Sixth, in oral evidence but not in his proof, Mr Robinson sought to criticize the zoning undertaken in the Local Model Validation Report²⁴⁵. Mr McKay explained that the process used was entirely usual. The SINTRAM model does not include every destination as a zone and there is no requirement for this to be so. The intention, as Mr McKay explained in his oral evidence, is to represent the likely changes in travel patterns that are then assessed through the detailed modelling of junctions having adjusted the flows from the model to take account of peak hour observed flows. The total vehicles generated by the Appeal Scheme, which has been agreed by SCC, is 796 out in the am peak and 203 in in the pm peak, spread over the whole of the Model. There are 610 Zones in the model some with more than one zone connector²⁴⁶ and the model uses origin destination data gathered by a variety of means to estimate the trips to each zone. However, the development has key destinations to larger settlements so the distribution is biased towards the zones representing these destinations²⁴⁷.
156. Seventh, Mr Robinson again in oral evidence but not in his proof, criticised the performance of the model as set out in Apps I and J of App. E of CD3.14. These graphs show tolerances from the journey times assessed in the model. As the Inspector pointed out during Mr Robinson’s evidence-in-chief there is no particular problem with these journey times as they generally lie within or very close to the tolerances given. In his oral evidence Mr McKay refuted Mr Robinson’s diagnosis of the situation where the journey times lie below the line. He said that this represents less traffic (hence the high speed) but in fact all it means is that the journey times are being modelled shorter because it is not a perfect model. No model can ever be perfect (which is the

²⁴³ See Mr McKay’s proof at para. 8.65.

²⁴⁴ See Mr McKay’s rebuttal at para. 4.5.

²⁴⁵ CD3.14 App. E pp. 4 – 5.

²⁴⁶ *Ibid*, App. E p. 4.

²⁴⁷ E.g. in Table 4-2 on p 4 of App. F of CD3.14 Guildford attracts approximately 34% of trips and Woking 22%, so it is not surprising that the number of trips to a local destination such as Effingham is lower as Mr Robinson highlights. This is entirely usual.

whole point for having statistical measures such as GEH)²⁴⁸. Mr McKay also makes adjustments to the flows used in the detailed capacity assessments of off-site junctions to take account of this potential anomaly²⁴⁹.

Cycling safety

157. No issues as regards cycling safety are pursued by GBC or SCC at this appeal; indeed SCC's letter of support for the appeal sent to PINS specifically draws attention to "*a significant contribution/provision in kind for material improvements to the cycling network in the wider vicinity of the site*" as being one of three reasons SCC no longer allege any severe impacts and consider the "*site to provide sustainable transport solutions*". This is an issue raised only by Mr Robinson and some third parties. The Appellant's position is as follows.
158. First, the provision to be made for a route to Byfleet, improvements at Ockham Interchange and the financial contribution for cycling are discussed in more detail under Main Issue 5.
159. Second, the agreed trip rates show that cycling off-site²⁵⁰ is likely to be in the order of 3% - or 50 peak hour trips²⁵¹. The cycling gravity model in Mr McKay's App. EE is aimed at putting the level of predicted demand on each of the compass point routes into some context to inform the discussions with SCC about the package of measures. It was not, as he explained in his oral evidence, intended as a forensic exercise. Relative levels of potential demand are forecast from the application of a very simple gravity model. The key point is that set out below the table on p. 256 of App. EE, i.e. 70% of trips will be provided for by existing or planned routes²⁵².
160. Third, safety including cycling safety is considered in detail in the Addendum ES. This was reviewed (twice) by Nicholas Pearson Associates and ultimately cycling provision is agreed with SCC.
161. Fourth, Mr McKay's proof also gives detailed consideration to road safety issues²⁵³. In this analysis he has used over 6 years of data as set out in para 11.8 of his proof and the commentary in App. R. This is more than the 5 years Mr Robinson indicated needed to be used, although he accepted (in cross-examination) that 3-5

²⁴⁸ Mr McKay's evidence was that it is more relevant to compare in the journey times in App. E to CD3.14: e.g. table 5-7 p. 19 (3/8pass) with table 5-19 p. 26 (6/8pass) and Table 5-13 p. 22 (6/8pass) with table 5-25 p. 29 (7/8pass) which show that the validation process improved these journey times so that more were within tolerances i.e. less than 15%. At 30mph this represents 4.5mph difference on a 30 mph road. Mr McKay in his EinC also explained that it did not matter that in the post-validation tables there remained some "nos". WebTAG says modelled times along 85% of routes should be within 15% of surveyed times and here 85% of 8 routes is 1.2 so there is no issue.

²⁴⁹ See Mr McKay's rebuttal at para 4.7.

²⁵⁰ As discussed under Main Issue 5 cycling is likely to be popular as a way of getting around the Appeal Site which is to be designed to allow this to happen.

²⁵¹ See Mr McKay's proof at para 10.41.

²⁵² In addition targeting expenditure on a route to Cobham would seem to yield a poor rate of return, especially when there is a bus service proposed.

²⁵³ See paras. 11.3 - 11.12 and his App. R.

years data was acceptable. App. R shows there have been 52 Non Motorised Users (“NMU”) accidents. Although Mr Robinson was at pains to say that they should be set in the context of local roads, the only two fatalities and one of the serious PIAs involving a NMU were on the A3. NMUs are involved in 7% of accidents in the study area. Using the information in App. R and Table 1-1, as a proportion of accidents on the local road network (e.g. excluding the A3 and M25) NMUs comprise about 26%. Cyclist accidents comprise 17% and pedestrians comprise 9%. In Surrey the rates in 2015 were 11% for cyclists and 9% for pedestrians. Thus although the accident rates in the local area are a little higher when looking at cyclists, the situation is not unusually different in this area²⁵⁴.

162. Fifth, the Appellant is promoting a safe and secure environment in the development where cycling and walking to the local facilities in the site will be purpose designed for safety and convenience. The Appellant is also delivering the route to Byfleet/Brooklands. Once complete this will provide a quiet route to a major employment centre. Mr Robinson stated that Mr McKay’s App. CC was a “good report” on this proposal. The Appellant is improving facilities at Ockham roundabout for cyclists thus improving the safety for those travelling to Ripley. Moreover, the Appellant is providing funding via section 106 for SCC to further improve conditions for cyclists. The Appellant is providing £2 million funding²⁵⁵ so that SCC can begin to address the issues alongside seeking opportunities to fulfill the Guildford cycling strategy. In his evidence-in-chief Mr McKay indicated that he saw the monies being used to meet a holistic need for creating a zone around the development in which everyone can be more aware of cyclists. This could include many of the roads used by the existing recreational cyclists. The monies could be used to create a specific cyclist awareness zone including entry points using gateways and intermittent speed awareness measures, a section on the SCC website, and SCC proactively monitoring the condition of the carriageway, so that potholes are dealt with before they cause problems. This would still be directly related to the Appeal Site in terms of the legal tests for planning obligations.

163. Sixth, Mr Robinson in his proof asserted the possibility of cycle accident rates in the area quadrupling. In cross-examination he admitted to not having any data or analysis to back it up, other than taking the weekend rate which he did not provide and applying it without justification to the rest of the week. Mr McKay in his oral evidence referred to the transport Chapter of the Addendum ES (CD14.1.14)²⁵⁶. In para. 14.2.34 the Addendum ES refers specifically to six points required to be assessed by the IEMA Guidelines, which includes “Accidents and safety”. Cycle amenity and safety is one of the specific impacts addressed in the

²⁵⁴ Mr McKay urged some caution here as the Surrey statistics include the motorway and trunk roads.

²⁵⁵ Mr Westmoreland-Smith (closing para. 57) was wrong to suggest that this can be spent anywhere in the Borough; it is restricted see the section 106 agreement: see the definition of the “cycle and public rights of way improvement contribution”.

²⁵⁶ Which Mr Robinson had not read.

Addendum ES. Paras. 14.2.59 - 61 set out the criteria used. Under these well-established criteria flows of less than 1,400 vehicles per hour in the peak hour are taken as representing low levels of cyclist delay. Para. 14.2.61 states (correctly) that no specific guidance exists for cycle amenity impacts. Table 14.9 sets out the existing conditions for cycling. For example Ockham Lane is described as low delay and having average amenity. Table 14.20 sets out the position in 2031 for Scenarios A and C. It shows no change in the assessment of cycling on the links assessed except for an improvement from poor to average based on its inclusion in the Guildford Cycling Strategy for improvement. Neither Mr Robinson nor any third party has provided any objective alternative assessment to the same level of detail that questions these findings. The Addendum ES was assessing Scenario C, if one then considers Scenario C3 with Burnt Common slips with reference to the AADT data for Scenario C3 in Professor Laxen's supplementary Proof (supplied to him by Dr Tuckett-Jones), some of these links would not now even qualify for assessment at all because AADT traffic with development is lower²⁵⁷. Mr McKay's proof looks at Scenario C3 and his conclusions on cycling safety in that proof are therefore of direct relevance if assessing the position with Burnt Common slips.

Ockham Lane

164. This point really only emerged in Mr Robinson's oral evidence. In his evidence-in-chief he said that on Ockham Lane the *"flow on it is going to - triple or quadruple, there is going to be a very big leap in traffic on what is meant to be an amenity rather than a traffic route so again a very severe impact environmentally. Fear and trepidation and all that jazz when walking down that road"*. In cross-examination he indicated that there was no capacity issue and that the issue he raised was not just about *"environmental impact"* but also safety. He again referred to *"Fear and Trepidation"*. In addition, when cross-examined he ventured to suggest that the Addendum ES, which he had not read, would not have dealt with impacts on Ockham Lane because at that time it was proposed to be closed to traffic. This is quite wrong, as Scenario C (as opposed to D) did not assume closure of Ockham Lane. The impact on Ockham Lane was one of only two points Mr Robinson has suggested result in a severe impact. He has not been clear what aspects of amenity on Ockham Lane he means but he did in his oral evidence use the term *"fear and trepidation"* (in fact *"Fear and Intimidation"* in the IEMA guidance). His concerns on this matter were not set out in his proof and he produced no rebuttal. The Addendum ES deals specifically with Fear and Intimidation at para.14.3.20, setting out the criteria- there is no formal guidance - and so it is down to the assessor. This assessment needs to be related to infrastructure and numbers of pedestrians, which are considered to be very low currently. Baseline conditions are set out in Table 14.10 and future conditions in Table 14.21. There is not predicted to be any significant change in terms of the criteria used. In Scenario C3 this link would still need to be included in the assessment of links, but as the peak hour flows are less than 1,400 per hour being 276 AM (one every 13 seconds) and 241 PM (one every 15 seconds)

²⁵⁷ E.g. Link 8 Ripley High Street, Link 11 Guilehill Lane and Links 12 and 13 Ockham Road North.

they are still low enough not to be considered as significant. The ES Addendum looks at the impact on roads judged against all the IEMA criteria²⁵⁸. Mr Robinson accepted he had not done any IEMA assessment of impacts on Ockham Lane.

165. Finally, Mr and Mrs Paton raised a further issue on Ockham Lane as to it becoming a “bypass”. In his oral evidence Mr McKay explained that this was not his reading of the situation. There will be some rerouting of traffic as shown in the plots in App. O. 142 vehicles per hour (“vph”) in AM (1 every 25 seconds) and 166 vph in the PM (1 every 22 seconds). That though does not constitute becoming a bypass. He also questioned what it is considered was being bypassed here. There is no link through the Appeal Site at present so there cannot be an argument that Ockham Lane forms an alternative to anything and the directional nature of the connections onto the A3 mean that there are few occasions when one might wish to use Ockham Lane as bypass to incidents on the A3.

3.4.3.2.3. The issues raised by Professor Laxen/WAG

166. The issues raised on behalf of WAG in Professor Laxen’s supplementary proof need to be judged against the fact that he is not, as he readily accepted in his oral evidence, a transport expert²⁵⁹. Moreover, as we know WAG’s evidence makes no transport case at all. This is a weak position indeed to start from but undeterred Mr Harwood QC cross-examined Mr McKay and effectively accused him of professional incompetence. This was a frankly wholly unjustified slur. It should not have been made. What remained of Mr Harwood QC’s cross-examination was in any event very largely confined to points of no significance whatever to the traffic analysis and the accusation had no proper basis in the evidence. With those points made we deal with the points raised in turn.

167. First, WAG have raised issues about what was included in the transport assessments in terms of other developments. This is a matter also dealt with below in relation to Main Issue 10. The criticisms made here are totally without merit. Thus:

- 167.1. The TAA for Scenario A included committed development and background growth of c. 24%, that is c. 1.3% per annum derived from TEMPRO. The Scenario A assumptions are set out in CD3.14 App. F; again these were approved by SCC²⁶⁰. App. A to App. F contain the full list of committed development included. This is an extensive list²⁶¹ of committed developments between 2009 and 2013. In cross-examination of Mr McKay, Mr Harwood QC sought to raise an issue as to why post-2013 committed

²⁵⁸ All of the above was confirmed in Mr McKay’s oral evidence.

²⁵⁹ In his EinC he said “I’m not a traffic expert ... so its just an observation ...”.

²⁶⁰ See the email in App. F of CD3.14 dated 12 November 2015.

²⁶¹ It includes 2134 residential units and 63,000 sq m gross floor area of commercial development.

development was not included but this is very simply answered in App. F para 3.1.2. The model was built from a 2013 forecast year and so after 2013 any developments are accounted for by the background growth rate applied. This is entirely usual practice as Mr McKay confirmed in re-examination;

167.2. In relation to other draft allocations in the eGBLP (including Garlick's Arch): these were not included in the modelling at the direct request of SCC. These allocations are not committed development; there are no planning applications for any of them. In relation to Garlick's Arch while this was not included in the SINTRAM modelling it has been included in the assessments included in Transport Technical Note 1²⁶². In re-examination Mr McKay confirmed the approach taken to this matter is entirely the usual one;

167.3. RHS Wisley: the relevant permission post-dated the TAA as it was granted in 2016. Mr McKay's oral evidence was that the majority of the trips generated are off-peak and at weekends and so have little impact on the transport assessments for the Appeal Scheme. And the occasional large-scale events held are outside typical conditions and so not required to be modelled. Even so comparing the TAA App. G (CD3.14) with Mr McKay's proof App. O the Wisley zone connector am peak includes growth of 21% and looking at the Wisley Lane flow diagrams the am peak shows growth of 47% on this link. Mr McKay's evidence was thus of the view that the Secretary of State could have assurance that this level of background growth at these locations did take account of the new permission if not fully, then substantially. It is of no great importance however, as HE clearly did not object to the RHS application and are silent at this inquiry in regard to the Appellant's treatment of it.

167.4. RIS: this was rightly excluded from the assessment for the reasons set out below under Main Issue 10.

168. Second, Mr Harwood QC cross-examined Mr McKay on trip rates as included in his App. J. These it will be recalled are agreed with SCC, and are again the subject of no evidence from WAG. The point was put that the trip rates (see Table 3.16) do not include trips for the primary school, community uses and the sports pitches. These points are of no merit for the following reasons:

168.1. The use that generates the vast majority of the trips is the residential, and in addition trips are allowed for in respect of the B1, B2, B8, A3 and A5 uses and the secondary school. Even if trips were expressly provided for in respect of the primary school, community uses and the sports pitches the number of trips would be wholly insignificant given the volume of trips from the residential and other accounted for uses;

²⁶² ID4, as Mr McKay further explained in his oral evidence.

- 168.2. Moreover, the primary school, community uses and the sports pitches²⁶³ will primarily be used by residents of the Appeal Site and will not generate off-site trips;
- 168.3. Mr Harwood QC's concern was staff trips to the primary school. But even if one allowed for the same number of trips for the primary school as for the secondary (a very generous allowance indeed given that it is half the size and likely to be attended only by children living on the Appeal Site) the total two-way trips would be 55 in the am peak and 14 in pm peak. In context of an overall 998 and 1027 such trips from other uses this is wholly inconsequential. The position is *a fortiori* with the community uses and the sports pitches.
169. Third, issues were raised as regards the traffic data used for Scenario C in Mr McKay's proof: see ID34. This is dealt with in section 2 of Transport Technical Note 2²⁶⁴. Despite the amount of time spent on this in cross-examination by Mr Harwood QC it is a wholly inconsequential point as Mr McKay made clear the Appellant's case is based on Scenario C3, not Scenario C. The error arose because a previous now superseded model run for Scenario C was included in Mr McKay's proof. This error has now been corrected but its significance is limited given that the focus is on Scenario C. If anyone was "*misled*"²⁶⁵ by this error it is wholly inconsequential²⁶⁶.
170. Fourth, issues were raised about the traffic data used in the air quality assessment in the Addendum ES: see Professor Laxen's supplementary proof table 1. These errors are matters of transcription related to the air quality assessment. There is no error in the transport data. This matter is considered further below under Main Issue 10. It is wholly irrelevant in transport terms.
171. Fifth, Professor Laxen raises other issues in his supplementary proof: see tables 2 - 4. These are responded to in section 3 of Transport Technical Note 2²⁶⁷. There are no errors in this regard for the reasons explained by Mr McKay. The repeated cross-examination on this by Mr Harwood went nowhere. The differences Professor Laxen highlighted arise from factoring of peak flows to AADT. These are of no significance to the traffic issues. Again these matters are also considered under Main Issue 10.

²⁶³ See Mr Sherman's proof at paras. 4.31 and 4.32; and note also such trips as these generate are very unlikely to be peak trips.

²⁶⁴ ID72.

²⁶⁵ And this is not accepted.

²⁶⁶ One further point. Mr McKay was berated by Mr Harwood QC, and this was returned to inc losing (see para. 19) for not answering this point sooner, as ID34 was given to the Appellant in week 1 of the inquiry. It is correct that the note was handed over to the Appellant in week 1 as were two other notes. None of these notes were though submitted to the inquiry. At the end of week 1 confirmation was sought by the Appellant as to which of these notes would be submitted by WAG; Mr Harwood QC declined to provide that confirmation. ID34 was eventually submitted on 3 October 2017 - in week 3; and responded to in Transport Technical Note 2 on 10 October a week later. Of the other two notes one was submitted, one not. The Appellant was entitled to wait to see what was actually submitted before responding to the same and as Mr McKay correctly said in his cross-examination on this point, to provide a full account of the consequences, or rather lack of any, to the inquiry.

²⁶⁷ ID72.

3.4.4. HE objection

172. It is accepted that as matters stand HE has an outstanding objection to the Appeal Scheme based on potential impacts on the Strategic Road Network (“SRN”). Strenuous efforts continue to agree matters with HE and to secure the removal of this objection. It is very important, of course, that the position as it currently stands is fully reported to the Secretary of State; but it must be recognised that it is inevitable that the position will have moved on by the time the Secretary of State comes to determine the appeal. Any updates in this regard will be reported directly to the Secretary of State²⁶⁸. WAG’s closing says that as the evidence stands today the Appellant agrees permission must be refused. This is not accepted. The Appellant considers that with its proposed mitigation there would be no severe impacts on the SRN; but it is acknowledged that HE does not yet agree. In any event this appeal is not being determined today²⁶⁹. The position will have moved on by the time it is determined.
173. The position is as follows, and is further set out in the 1st HE SoCG (ID31).
174. First, the Appellant and HE are agreed that there needs to be mitigation provided in respect of the SRN.
175. Second, HE agrees that the traffic modelling used by the Appellant is “*fit for purpose*” in assessing impacts on the SRN (see para. 2, ID31).
176. Third, the mitigation for the SRN proposed by the Appellant consists of four main elements²⁷⁰:
- 176.1. Improvements to M25 Junction 10;
 - 176.2. Improvements to the southbound A3 between M25 Junction 10 and Ockham Interchange;
 - 176.3. Improvements to Ockham junction roundabout; and
 - 176.4. Burnt Common slips.

²⁶⁸ This will not necessarily require the re-opening of the inquiry as Mr Harwood QC has intimated. The way in which the Secretary of State deals with any update provided by the Appellant and HE is a matter for him. He could, for example, allow for further written representations. What is material in this regard is that no rule 6 party or third party has adduced any evidence of impact on the SRN; Mr Robinson’s evidence is devoid of any consideration of the SRN as he accepted in cross-examination. He said he had left this issue to HE. While some parties have referred to HE’s position, as have WAG in its evidence and XX, no actual evidence has been adduced on the SRN by any party other than HE. Further, RfR3 did raise issues in respect of the SRN but those issues have not been pursued on this appeal by either SCC or GBC.

²⁶⁹ Mr Harwood QC in XX of Mr Collins speculated on what the position would be if the eGBLP were being examined today. It is not being examined today but it will soon be submitted for examination. Any developments in this regard, in so far as relevant to the appeal, including in terms of work undertaken by GBC in support of Burnt Common slips (See Mr Sherman’s App II) will have to be reported to the Secretary of State in written submissions.

²⁷⁰ Para. 5, ID31.

177. Fourth, this mitigation is put forward on the basis that the RIS scheme is not in place. It is agreed by the Appellant and HE that it is reasonable to believe that the RIS scheme if delivered would obviate the need for any further mitigation having to be provided by the Appellant in respect of the SRN²⁷¹. The Appellant's position is that with the mitigation it proposes there is no need for the Appeal Scheme to await implementation of RIS. But, on the evidence before this inquiry, it is clear that were RIS to happen then any need for further mitigation of the SRN would be obviated.
178. Fifth, in relation to the Appellant's proposed SRN mitigation the first three elements set out above are agreed in principle by HE as providing suitable mitigation: see ID31 para. 6; with only detailed design aspects yet to be agreed. HE's closing refers to these as "*minor outstanding points*"²⁷².
179. Sixth, what remains in issue between HE and the Appellant is Burnt Common slips, and the residual impact (if any) of the development on the northbound A3 between Ockham and M25 Junction 10. The position in respect of this is:
- 179.1. In this appeal HE do not object in principle to Burnt Common slips²⁷³. This is consistent with the fact that HE is "*neutral*" as to the proposal in the eGBLP for Burnt Common slips²⁷⁴; and there are ongoing discussions on this²⁷⁵;
- 179.2. HE is currently gathering information in order to plan for future investment and inform the Road Investment Strategy for the Period 2020 - 2025. As part of this in March 2017 HE published a Route Management Strategy ("**RMS**") for the M25 - Solent Route. This Route includes the A3 past the Appeal Site. The RMS notes that "*[o]pportunities have also been identified ... for ... the introduction of north-facing slips at the A3/A247 at Ripley to support local plan aspirations and relieve some pressure on local roads accessing the A3 at Guildford.*" While Mr Harwood's proof says that this does not mean that the slips will necessarily be included in the Road Investment Strategy for 2020-2025 what is clear from what he says is that they might be; and this does constitute a very clear recognition by HE of the benefits of the slips²⁷⁶;
- 179.3. As matters stand HE is not yet persuaded that Burnt Common slips mitigate impacts on the SRN; can be provided safely and would benefit the economy. In addition agreement is yet to be reached on

²⁷¹ This is what was said by Mr Harwood in his rebuttal to Mr & Mrs Paton, his EinC, and is further confirmed in the agreed meeting notes in Mr McKay's rebuttal App. GG para. 3.2. It was also confirmed by Mr McKay to be his view in RX.

²⁷² Para. 3.

²⁷³ See ID31 para 7, Mr Harwood's proof para. 4 and the email referred to in Mr McKay's proof at para. 3.45.

²⁷⁴ See para. 42 of Mr Harwood's proof.

²⁷⁵ See Mr Harwood's proof at paras. 19 and 43 and App. II to Mr Sherman's proof.

²⁷⁶ See Mr Harwood's proof at paras. 37 - 39.

what DMRB departures may be required²⁷⁷. The “*prime consideration*” for HE is safety, see paras. 9 and 10 of DfT Circular 02/03 quoted in Mr Harwood’s proof at para. 51. While HE must be satisfied on other matters including the economic case and the need for departures the prime consideration is safety. If HE is ultimately satisfied on the safety of what is proposed then the rest is likely to fall into place;

179.4. Detailed submissions have been made to HE by the Appellant, including Transport Technical Note 1²⁷⁸, on the above matters and HE continues to consider these. There are regular meetings and discussions ongoing;

179.5. HE accepts the issues are not incapable of resolution²⁷⁹ and the Appellant is confident they will be resolved²⁸⁰;

179.6. If matters are agreed and the HE objection lifted then the concerns raised by HE as to there being a severe impact on the SRN (Mr Harwood’s proof at para. 63) fall away completely.

180. In relation to the proposed trigger for Burnt Common slips:

180.1. Mr McKay explained in his oral evidence (questions from the Inspector and in re-examination) that the 1,000 house trigger for Burnt Common slips is supported by the safety analysis in Transport Technical Note 1²⁸¹ in terms of impacts on the SRN; and in terms of Ripley the position with 1,000 houses and no Burnt Common slips is no worse than the position in Ripley would be in 2031 without the Appeal Scheme;

180.2. Importantly the trigger is agreed with GBC and SCC²⁸²;

180.3. Further details are provided in the Appellant’s note for the conditions and obligations session²⁸³ which draws out from the evidence before the inquiry²⁸⁴ that which is relevant to the 1,000 unit trigger for Burnt Common slips: see section 3. Suggestions made that there is “*no evidence*” to support this trigger are refuted;

180.4. It is acknowledged that HE currently object to the trigger but discussions are on-going on this in the context of trying to remove HE’s objection; the Secretary of State will be updated in due course on the position reached.

²⁷⁷ See ID33 paras. 10 – 12.

²⁷⁸ ID4.

²⁷⁹ See e.g. ID31 and also Mr Harwood’s proof at para. 21; HE’s opening at para. 25 and Mr Harwood’s rebuttal at para. 46.

²⁸⁰ Mr McKay’s EinC.

²⁸¹ *Ibid.*

²⁸² SCC’s letter to PINS (ID22) that Mr Green states that “[s]ome of the triggers that are being agreed in the Section 106 Agreement are slightly later in time than would normally be considered necessary in order that the impacts are mitigated, but this is to provide sufficient time and resources to be accumulated by the developer to allow for scheme detailing and crucially, implementation”.

²⁸³ ID100.

²⁸⁴ Mr McKay’s proof and Transport Technical Note 1 (ID4).

3.4.5. Other transport issues

181. A number of other issues have been raised by Mr & Mrs Paton and Mr Bellchamber as well as other third parties including Mr Eve. These matters have been responded to in Mr McKay's rebuttal, Transport Technical Note 2²⁸⁵ as well as in his evidence-in-chief and his answers in cross-examination to these parties. There is no merit in any of these points. To save time the Appellant's responses are not repeated in this document.

3.5. Whether the proposals would deliver the required transport sustainability measures necessary to enable sustainable travel choices

182. The Appellant contends that the Appeal Scheme would deliver the required transport sustainability measures necessary to enable sustainable travel choices²⁸⁶. Critically, this is a conclusion endorsed by GBC, as local planning authority, and by SCC, as local highway authority. There are a number of key points.

183. First, GBC at this appeal has not pursued RfR4 that previously alleged "*[i]n the absence of a suitable legal agreement, the application fails to deliver the transport sustainability measures required to enable sustainable travel choices such as walking, cycling and public transport*". The SoCG with GBC records²⁸⁷ that "*[t]he proposed Section 106 documents address this reason for refusal including the WACT*"²⁸⁸.

184. Mr Sherman's proof²⁸⁹ noted the need for "*the provision of bus services, improvements to transport infrastructure and the delivery of a range of services on this site that allow for trips to be internalised*", and suggested that it was important that "*the best possible package of transport sustainability measures is secured and that these measures are available for the lifetime of the development*". He noted that "*[a] suitable package will be agreed with the appellant and will be secured through the s.106 agreement and planning conditions*" and would include "*delivery of a high frequency bus service from the site to local railway stations as well as a mechanism to ensure that this service is maintained in perpetuity*", "*the provision of cycling and pedestrian routes as well as a contribution to Surrey County Council to deliver off-site cycle and public rights of way enhancements*". In cross-examination Mr Sherman accepted that GBC was not advancing any case, or any evidence, to suggest that the Appeal Scheme would be

²⁸⁵ ID72.

²⁸⁶ There is no definition of sustainable transport in the NPPF or eGBLP. Development does not need to achieve a certain proportion of trips by bus or cycle nor reduce car use below a certain benchmark level. The NPPF is very much about doing everything possible in the context of the site that is cost-effective to take up the opportunities that exist for giving people a real choice about how they travel. The NPPF is also very clear in stating that planning should take account of the extent to which development can be made sustainable and therefore is not reliant on the existing sustainability of sites. Having said this, it is a major objective to ensure that development proposals that provide housing to meet national and local demand reduce emissions by: (i) reducing the need to travel; and (ii) providing opportunities to travel by sustainable modes of transport. See Mr McKay's proof paras. 7.2 - 7.4.

²⁸⁷ See p. 28, CD12.3.

²⁸⁸ The SoCG also records:
"*Sustainable Development*

6.12. *The Proposed Development represents the largest proportion of the proposed allocation of housing and only proposal for a new settlement in the emerging GBLP. The Proposed Development provides for the mix of land uses envisaged to be required by the emerging GBLP.*"

²⁸⁹ At paras. 2.11 and 2.12.

unsustainable development; and thus it was accepted that what was proposed could be said to be a sustainable new settlement, something that was a positive that should weigh in the planning balance.

185. Second, SCC wrote to PINS on behalf of SCC in its capacity as local highway authority²⁹⁰. The letter notes that the delivery through a section 106 of “*robust provision for a comprehensive network of public transport local bus services in perpetuity*” and “*a significant contribution/provision in kind for material improvements to the cycling network in the wider vicinity of the site*” were integral to the ability of the Appeal Scheme to “*provide sustainable transport solutions*” and on this basis SCC were not contending that “*the proposals will not provide sustainable transport solutions*”.
186. Third, sustainability has been key to the design of the new settlement from the outset²⁹¹; as Mr Bradley explained in cross-examination his brief was to create an exemplar new sustainable settlement. There are a number of points to make in this context:
- 186.1. Achieving a sustainable development is key to the Appeal Scheme. Therefore sustainability workshops were held between GBC Officers and SCC Officers in February and March 2014. The workshops were also attended by relevant members of the Wisley Airfield project team including transport²⁹²;
- 186.2. The density of the Appeal Scheme has been influenced by the need to ensure sustainability; thus in order to reduce residents’ reliance on private transport, the Appeal Scheme has been designed to have walkable neighbourhoods, where local services are within easy walking distance of homes.
- 186.3. Mr Bradley’s proof explains that “*[t]he density of a settlement is a key factor in the creation of a sustainable place. This is what determines how closely people live to the local services they use on a daily basis. The appropriate density for a sustainable settlement should enable all residents to have easy access to key local services without the use of private transport*”²⁹³. In cross-examination Messrs Sherman and Robinson agreed that a certain quantum of people is needed in order to provide on-site facilities that are sustainable. Mr Bradley’s evidence was that studies have shown a recommended “*average density of 40-50 dph for new developments*” as “*the minimum density to support a good bus service*”²⁹⁴ among other things;

²⁹⁰ ID22.

²⁹¹ See also Mr Bradley’s proof at para. 2.2.1.1 “*[t]he main aim of the Appeal Proposal is to create a highly desirable and sustainable place where people want to live, work and be, now and for generations to come. The vision is to create a New Sustainable Settlement ...*”. And see also para. 2.1.2.2 “[a]t Wisley, we wish to create a new sustainable settlement combining the best of the Garden City approach to place-making with the benefits of twentyfirst century living ...”. Mr Collins’s proof at para. 3.21 says in addition “[s]ustainability has been at the heart of the evolving masterplan Proposals and through liaison with GBC the sustainability credentials of the scheme have been increased ...”

²⁹² Also ecology, landscape, planning and architecture consultants: see the proofs of Messrs Bradley and Collins.

²⁹³ *Ibid.* para. 2.5.1.1.

²⁹⁴ *Ibid.* at para. 2.5.2.10.

- 186.4. The SoCG with GBC records at p. 26²⁹⁵ “[a] community of approximately 2,000 homes at Wisley Airfield would be fourth in the Guildford Borough settlement hierarchy (CD 8.16), and, subject to the terms of the planning obligation has the potential to provide the services and amenities associated with a Sustainable Settlement”;
- 186.5. A similar view is reflected in the SA²⁹⁶ which recognised that development at Wisley Airfield “gives rise to considerable opportunity ... to achieve high standards of sustainable design” and that “the scale of the scheme would enable good potential to provide a high quality bus service in perpetuity and deliver some cycle route improvements to important destinations”²⁹⁷;
- 186.6. Moreover, Pegasus in the GBCS²⁹⁸ set out that in respect of the Appeal Site “it is considered that a population level in the region of 4,000 has the potential to support notable facilities and services and, in turn, offer a sustainable form of development. Such a scale of development for a new settlement would therefore offer the potential for it to adhere to the sustainable development requirements of the NPPF, along with the Garden City principles referred to within paragraph 52 of the NPPF”²⁹⁹;
- 186.7. Finally, in this regard, the Housing Topic Paper (2017)³⁰⁰ notes that Wisley Airfield “is also of a scale (approximately 2,000 homes) which will also provide other uses that benefit the future occupants and the wider community, and provide or contribute towards a significant level of infrastructure”.

187. Fourth, it is necessary to examine the key elements of the transport sustainability case.

3.5.1. On site provision

188. The Appeal Scheme seeks to provide local facilities in order to prevent the need for residents to travel off-site³⁰¹. This includes: employment, shops, nurseries, an all through school, a health centre³⁰², a community

²⁹⁵ CD12.3.

²⁹⁶ CD8.31 paras. 10.3.3 and 10.16.5.

²⁹⁷ GBC’s long-standing support for the removal of the Appeal Site from the Green Belt is based on an extensive evidence base and demonstrates that GBC considers that the exceptional circumstances test has been met and that the Appeal Site is a sustainable location for development. The Appellant supports that view. The Housing Delivery Topic Paper (2017) (CD8.29) sets out that the “significant benefits of development” at the Appeal Site “outweigh the harm that may be caused by removing this land from medium sensitivity Green Belt” constituting exceptional circumstances (para. 4.142).

²⁹⁸ CD8.8, para. 22.2.

²⁹⁹ See also paras. 22.5 and 22.7. The latter says “[i]t is not considered of value to undertake a sustainability assessment based upon existing facilities at Wisley Airfield as these are generally absent and would be provided through the new settlement itself. The site will score very poorly at present as it contains no existing facilities or services as opposed to the potential major village expansions. However, a new potential settlement at Wisley Airfield could comprise sustainable development if new facilities can be brought forward through a development. A new settlement at Wisley Airfield will only proceed if it includes new services and facilities, and as a result it is considered reasonable and necessary to allow for these, before sustainability assumptions can be made.”

³⁰⁰ CD8.29, para. 4.137.

³⁰¹ See Mr Collins’s proof at para. 3.35 “it engenders social sustainability by combining design of the physical realm with design of the social world – infrastructure to support social and cultural life, social amenities, systems for citizen engagement, and space for people and places to evolve. The sustainable communities created will meet the diverse needs of existing and future residents, their children and other users, contribute to a high quality of life and provide opportunity and choice”.

³⁰² Mr Collins’s evidence in chief provided details of the capacity within existing GP surgeries to meet the needs of residents of the Appeal Scheme if a medical centre did not come forward or only came forward later: see ID90. Two of those surgeries can be accessed by bus from

centre, sports facilities, playspace and public open space: see Mr Bradley's proof at section 2.5 showing that what is to be provided is in excess of what would normally be provided for a population of c. 5,000³⁰³. The new settlement would be third in the Guildford Borough settlement hierarchy providing the sustainable services and amenities associated with a sustainable settlement³⁰⁴.

189. The new local centre will be at the heart of the sustainable new settlement and is within the 800m walking distance guideline for all the homes in neighbourhoods 1 and 2 and well over half of 3: see Mr Bradley's proof and his evidence in cross-examination to Mr Harwood QC. For those living in the eastern part of neighbourhood 3 and 4 the walking distance will be greater than 800m but for those not prepared to or able to walk there are other sustainable travel options.
190. Moreover, the whole site is within the 5km cycling distance and there will be on-site a number of cycle facilities. The site will be designed to ensure that the opportunities for residents to walk and cycle within the site can be taken up using safe and pleasant routes specifically designed with these modes in mind³⁰⁵. A frequent bus service runs down the Ridgeway with all homes within approximately 200m of a bus stop: see again Mr Bradley's proof at section 4.2, his answers in cross-examination to Mr Paton³⁰⁶ and Mr Robinson's comment in cross-examination that the linear nature of the site was "*ideal*" for bus transport³⁰⁷.
191. In terms of employment the number of jobs generated on site is estimated to be 776³⁰⁸. As a proportion of the 2,835 residents that Mr Miles calculates would be economically active the on-site employment offer would accommodate 27% of these people. Mr Harwood QC in cross-examining Mr Bradley raised the prospect of a resident living in neighbourhood 4 needing to walk 1.2km to the employment site. Mr Bradley's response was "*Yeah very pleasant ... The walking to work thing, the 800m is about comfortable easy walking distances to schools and neighbourhood shop etc. It's not about workplace. 1.2km or so for most able-bodied people is very easy to do*". But if that future resident did not fancy the pleasant walk to work s/he could cycle or use the bus service.
192. Mr Collins's evidence predicts 292 home working jobs on the Appeal Site. The proposed initiative of the homeworking hub on the site, supported by the placemaking proposals in the masterplan and Residential

the Appeal Site. No serious challenge was made by any party to this evidence. Contrary to what is said in WAG's closing (para. 77) Mr Bellchamber's XX of Mr Collins did not undermine any of this evidence and in any event focused on one surgery only of seven surveyed.

³⁰³ And see Mr McKay's proof at para. 7.7

³⁰⁴ See the Planning Statement CD2.15.

³⁰⁵ See Mr McKay's proof at para. 7.16.

³⁰⁶ Mr McKay's proof states at para. 7.14 "*Buses will connect the various areas of the site. This can be done very easily because of the layout of the site as shown in the Addendum DAS (CD ref. 3.11), meaning that the services can be within easy walking distance of all residents without the need for convoluted loops in the bus routes, which would make for inefficient bus services*".

³⁰⁷ Mr Harwood QC's closing, ignoring the evidence, suggests that the linear layout will encourage car use – quite the reverse; and that is the view of the only transport witness called by a rule 6 party who considered sustainability.

³⁰⁸ See Mr Collins's proof App. 2 p. 7.

Travel Plan, will add to the attractiveness of homeworking and make the maximum possible use of this opportunity to reduce the need to travel beyond the site³⁰⁹.

3.5.2. Access to train services

193. The following are the key points.

194. First, the Appeal Site is within 5 miles of a number of main line railway stations³¹⁰; and is particularly well related to Horsley and Effingham Junction stations³¹¹.

195. Second, the Appeal Scheme provides connections to Horsley and Effingham Junction stations through new bus services (see below); these are the nearest stations to the Appeal Site. Cllr Cross raised the issue of there being no bus service to Woking but neither GBC nor SCC has ever sought such provision. While Woking provides faster trains it takes longer to get to (much longer according to some of the third parties who spoke) and the reality is that most residents will seek to use Horsley and Effingham Junction stations and will have a high frequency bus service to allow them to do so. Mr McKay's view was that to encourage the use of buses to get to the stations it was important that the bus trip at the beginning or end of the journey was not "*unpredictable and long*"; frequent buses to the close by Horsley and Effingham Junction stations (every 10 minutes) avoided these issues.

196. Third, Mr Robinson sought to suggest that there was insufficient capacity on the trains but no issue in this regard has ever been raised by SCC or the train companies and as Mr Robinson's own evidence acknowledges there are capacity increases planned in any event. Mr McKay in cross-examination, by Mr Westmoreland-Smith, explained that the increase in capacity is precisely to allow for development, and hence increased usage along the line. A number of developments - including if granted permission the Appeal Scheme - will come forward and will take up the new capacity. This is why this capacity is being provided. Mr McKay said "*what's the point of having a railway if it doesn't convey people*"; in other words the capacity is being added to cater for development and that includes the Appeal Scheme. He also pointed out that in the peak hour the new planned capacity on Mr Robinson's own calculations amounted to an extra 1,400 spaces on trains, of which the Appeal Scheme it is anticipated would use up to 150 in that peak hour.

³⁰⁹ See Mr McKay's proof at para. 7.11.

³¹⁰ See Mr Bradley's proof at para. 3.1.1.4

³¹¹ See Mr Collins's proof at para. 3.48 and Mr McKay's answers on this in XX by Mr Westmoreland-Smith. Mr McKay said "*they're obviously the closest, a short hop to get there on the bus, services to London assuming [the] predominant destination [is] going be north bound to London, [it] takes slightly longer than [it] would do from Woking but quid pro quo is that Woking further from site*".

197. Fourth, Mr Robinson also raised issues about lack of parking at Horsley and Effingham Junction stations. However, his own surveys show that there are spaces available, thus his surveys showed 30 spaces on average at Horsley and 20 at Effingham Junction (see his proof at para 8.12) and he calculated a demand created by the Appeal Scheme for parking at the stations of around 25 spaces (para 8.15). This shows there is parking to meet that need, but Mr Robinson refuted that because he doubled and then quadrupled the demand figure on the basis of the peak period and inclement weather. He had no principled or evidential basis for such an approach. He also intimated that it was his view that in the future the station car parks would be expanded³¹²; the Appellant does not rely on this and there is no evidence to say it would happen (the relevant rail franchise only recently having been awarded to a new train company) but were it to happen it would alleviate the concerns Mr Robinson has on parking spaces. But the plain fact is that residents of the Appeal Site are being offered an alternative to competing for car parking at these stations through use of the bus. Moreover, if any lack of parking encourages residents of the Appeal Scheme to use the bus that is a good result in sustainability terms.

198. Fifth, the Horsley Parish Councils have questioned the relative costs of parking at the nearby stations as against using the bus; thus in opening it was said that *“at £5.40 return the proposed bus trip to the station is more expensive than parking at the station if a weekly or monthly parking ticket is purchased”*. This theme was continued in Mr Robinson’s evidence and in cross-examination of Mr McKay. It is not a good point for the many reasons explained by Mr McKay in his oral evidence³¹³. Thus:

198.1. £5.40 is the average return fare assumed in a number of scenarios tested in the bus modelling³¹⁴. For the very much shorter journeys from the Appeal Site to the nearby stations that cost is likely to be below the average³¹⁵;

198.2. The comparison made is not a fair one. The daily parking cost is £6.50 so more than the average (daily) return fare. While the costs of a season ticket for parking is less, so would be the cost of a season ticket for the bus³¹⁶;

198.3. The scenarios used in the modelling allow for the possibility of the resilience funding being used to bring the costs down – at its lowest to an average cost of £1.50 each way – this is a cost well below the parking costs either on an average daily or season ticket basis;

198.4. Mr Robinson’s speculation on costs ignores the costs of fuel and car ownership³¹⁷;

³¹² Decking was discussed by Mr Westmoreland-Smith in his XX of Mr McKay.

³¹³ Mr Robinson’s view on bus usage also appears to give no weight to the travel plan.

³¹⁴ See Mr McKay’s proof p. 83.

³¹⁵ Mr McKay explained in XX that the average is *“based on a basket of fares and the figure in the table [at p. 83 of his proof] is the average of that basket of fares, some more expensive some cheaper”*, that *“shorter trips will be cheaper than longer trips”* and while *“season tickets tend to be one price, fare stage tickets tend to be based on distance”*.

³¹⁶ Mr McKay explained in his answers in XX that *“the bus service is naturally going to be available for season tickets as well which is bound to be cheaper than the single fare, so the price will come down”*

198.5. Mr Robinson's view fails to take into account the limit on station parking which itself may well drive use of the bus as an alternative.

3.5.3. Bus services

199. The Appeal Scheme will deliver in perpetuity new bus services. These will enable sustainable travel around the Appeal Site and will extend beyond the site to other communities making it possible to reach services, stations, employment opportunities³¹⁸ and facilities outside the site without use of the car. The bus services proposed are based on extensive discussions with GBC, SCC and operators³¹⁹.

200. The three minimum services to be provided go from: (i) Wisley to Guildford every 30 minutes; (ii) Wisley to Cobham every 30 minutes; and (iii) Wisley to Horsley and Effingham Junction every 12 minutes³²⁰. These services run Mondays to Saturday 0600 to 2300³²¹. These bus services will link the Appeal Site, Guildford, Ripley, Cobham, East Horsley and Effingham Junction.

201. In addition the Appellant is providing additional and improved bus facilities at East Horsley and also improvements at Effingham Junction³²².

202. The Appellant has provided detailed evidence of viability³²³ of the proposed services. The mode shares on which this is based have been agreed with SCC and Mr McKay's oral evidence was that the 5.9% mode share for bus use by those living on the Appeal Site was "conservative" and took no account of the travel plan which if successful could well see increased bus usage. The buses are to be provided early on; the trigger being the 76th dwelling. This is possible via developer funding³²⁴; the OBP (*supra*) shows total developer contributions (not including via the WACT - see below) of c £3 million. The service is projected to break even by the completion of the development but notwithstanding this c £280,000 funding is also to be provided in

³¹⁷ Mr McKay in XX explained "in addition to the parking cost you've got to run a car to get there in the first place, fuel maintenance insurance and finance on the car itself, so it is not like it is a straight comparison between fare and parking charge at the station"

³¹⁸ In XX of Mr McKay it was suggested by Mr Westmoreland-Smith that the proposed employment is shown on the illustrative masterplan in the north-west of the Appeal Site closest to the SRN and with parking meaning that bus travel is less likely to this location. Mr McKay refuted this suggestion, and in RX also pointed out that the B1 uses were in fact in the village centre - and clearly well served by bus.

³¹⁹ See Mr McKay's proof at para. 9.1

³²⁰ *Ibid.* para. 9.3.

³²¹ *Ibid.* at para. 9.3; and see the draft timetables at para. 9.4.

³²² *Ibid.* at para. 9.5. In XX Mr McKay explained that the bus turning facility proposed at East Horsley was related to the planned circular bus route and that was "a proposal potentially available for those running this bus service, an alternative is run to Horsley on its own and to Effingham Junction separately". He said that it "really depends on what operators choose to do with the assets that are available to them"; "[w]e were looking at this turning facility in the context that if the County felt it was better to have close access to a station, was much easier at East Horsley than at Effingham Junction" this "allow us to turn around and go back to the site, serve a railway station on London route and provide access to East Horsley's facilities". He added that parking surveys on station parade showed there was spare capacity and that any loss of parking was immaterial.

³²³ *Ibid.* at paras. 9.6 - 9.19 and App. BB. In his EinC Mr McKay explained the parameters used in the financial modelling and the resulting subsidy profit, see e.g. p. 171 - 177.

³²⁴ See the Transport subsidy table in App. 6 to the section 106 agreement.

perpetuity through endowment³²⁵ under the WACT³²⁶. This “*resilience funding*” can be used for a number of purposes including: supporting the services if patronage is lower than anticipated; increasing the number of services³²⁷, reducing ticket prices etc³²⁸. Thus as Mr Collins’s evidence explained this funding is to be used “*to encourage the use of buses, for example by offering enhanced levels of frequency*” and will be achieved through the implementation of the WACT such as to “*greatly improve sustainable transport access both to the Development and to the local villages*”³²⁹. SCC would not have withdrawn its objection and have written to PINS or signed up to a section 106 agreement supporting the bus provision if it had not agreed that what is provided is suitable. Mr McKay in his oral evidence noted that SCC’s agreement followed “*extensive discussions about the subsidy level, the resilience funding level and the mechanism in the S106 for reviewing the reliance funding depending on the optimum combination of fare and service level to achieve the required patronage level*”.

203. Mr McKay’s evidence was that accordingly the Secretary of State could have a “*high level of confidence*” that the bus services would be provided in perpetuity. He described the level of assurance around the funding proposed as unique and far superior to other schemes he had been involved in. In cross-examination Mr McKay provided comprehensive and detailed responses to such questions as he was asked on the funding. The bus viability modelling is, contrary to suggestions made in cross-examination, wholly unaffected by the date on which housebuilding begins.

204. In addition on site bus stops will be provided within the Appeal Site at key locations and at the optimal locations along the spine road for access by all residents and workers. It is intended that the bus stop facilities will incorporate shelters that have seating and provision for real-time information on expected next bus arrivals, route timetables and maps, contact information and be highly accessible to all users³³⁰.

205. Mr Robinson, in cross-examination, said that as a transport planner he “*welcomed*” the provision of a frequent bus service; unfortunately though, as he accepted, he had based his assessment of the adequacy of what was proposed on the wholly superseded and somewhat lesser provision proposed in the TA, not what is now proposed or even what was proposed in the TAA. He also helpfully agreed that the linear nature of the Appeal Site was “*ideal*” as regards serving the Appeal Site by bus. The level of bus service to be provided is

³²⁵ Mr Collins explained in his oral evidence that this endowment could be made up of properties; and in XX by Mr Westmoreland-Smith Mr McKay said “*I not think there any great doubt that those assets will be in place or that they will generate that amount, it's a central estimate of what the asset could perform at, it's definitely an amount that would be realised by the assets*”.

³²⁶ It will be seen that the WACT endowment is for a number of years not the only funding proposed with there being additional developer contributions on top, see again ID77, p. 66. Mr McKay explained “*the £280,000 is there to provide resilience funding for the whole service so it's over and above what the developer is already putting in to the cost of the service*”.

³²⁷ See ID77 p 54, para 3.2 and the Table in relation to the base service level provision and enhanced services.

³²⁸ See Mr McKay’s para 9.17.

³²⁹ See Mr Collins’s proof at para. 3.33.

³³⁰ See Mr McKay’s proof at paras. 9.20 and 9.21.

vastly superior to the present level of bus services in the area, and will allow for increased bus usage in existing towns and villages³³¹. This is a benefit of the scheme and one that should be weighed in the balance in deciding if there are VSC³³².

3.5.4. Cycling

206. A network of cycle routes already exists within the vicinity of the Appeal Site, including the 2012 Olympic Cycle Route; supplemented with the PROW network (see CD 13.59, p 15).

207. The Appeal Scheme will provide:

207.1. A new route to Brooklands and Byfleet including improvements to A245 Parvis Road cycling and crossing facilities;

207.2. Improvements for cyclists to facilities at Ockham Interchange - of benefit to those cycling to Ripley; and

207.3. A £2 million contribution to local cycle schemes and Guildford Cycling Strategy. It is envisaged that they may comprise a mix of specific highway improvement schemes as and when opportunities arise alongside more holistic behavioural measures such as local speed awareness campaigns for drivers or a zoned reduction in speed limits on local roads around the site targeted at improving conditions for all cyclists (see Mr McKay's proof at para. 10.12).

208. Thus, the Appeal Scheme takes the opportunity to deliver significant improvements to the local cycle network in the surrounding area by working in conjunction with the Guildford Borough Cycling Plan.

209. The onsite cycle infrastructure is shown in the DAS Addendum (CD 3.11) at Section 3.4 Illustrative Public Transport and Cycle Connections. This infrastructure will be designed and constructed as an integral part of the masterplan to encourage its use. It will take account of the existing points of connection to bridleways. Facilities will include cycle-friendly shared streets, dedicated crossing points and segregation from motorised traffic where possible. Covered and secure cycle storage or parking will be available at key locations such as the local centre, sports areas and schools as well as being included in residential units as required by GBC policy in line with SCC guidance³³³.

³³¹ See the TA, CD2.21 p. 33 table 4.5, paras 8.4 and 8.5 of Mr Robinson's proof and his answers in XX on this matter. While the census shows bus usage in the area of the Appeal Site to currently be 1% (see Mr McKay's proof at p. 85) that is a reflection of the existing poor level of service and the provision of new frequent bus services will drive that figure up. The submission made in the Horsley Parish Councils' closing at para. 55(iii).

³³² See below, and see Mr McKay's proof at para. 12.2 and his answers in XX to Mr Westmoreland-Smith.

³³³ See Mr McKay's proof at para. 10.14.

3.5.5. Travel Plan

210. Details of the proposed travel plan are set out in Mr McKay's proof at para. 4.11. SCC have confirmed that the main provisions of the Travel Plan are acceptable³³⁴. In cross-examination Mr Robinson said that "[a]s far as I can tell is a pretty good travel plan" which he took "no issue with whatsoever".

211. Thus in conclusion the Appeal Scheme is in full compliance with paras. 30, 32, 38 and 52 of the NPPF, policy G12 of the adopted Local Plan, the Sustainable Design and Construction SPD 2011 as well as the eGLP and in particular draft Policies S1, ID3 and D2. The Appeal Scheme includes a package of measures that will greatly improve sustainable transport access both to the Site and to the local villages and which have been agreed by GBC and SCC. It provides a sustainable transport package is designed to achieve modal shift away from the private motor car. Moreover, the bus services for the residents will also be available for existing local residents, thus enhancing the sustainability of the wider community at no cost to the local authorities.

3.6. Whether the proposals would deliver an appropriate quantity and mix of affordable housing

212. GBC has not advanced any evidence in support of RfR5. It is common ground between GBC and the Appellant that the proposed provision of 40% affordable housing is appropriate.³³⁵ It is also agreed that the affordable housing proposal satisfies the affordable housing policy in the eGLP and that the Appeal Scheme would be able to contribute *circa* 12-14% of the level of affordable housing planned for the eGLP plan period.³³⁶ As Mr Sherman accepted in cross-examination, that level of affordable housing is more than has been delivered in the entirety of the borough since 2009/10. Indeed, it is almost twice as much.³³⁷

213. GBC is also satisfied with the mix of affordable housing tenures proposed by the Appellant: see Appendix 13 to the proof of evidence of Mr Collins.

214. We address the weight that should be given to affordable housing provision as a benefit of the Appeal Scheme below, under the final main issue.

3.7. Whether the loss of a safeguarded waste site is outweighed by other considerations

215. Whilst part of the Appeal Site is an extant allocation in the Surrey Waste Plan (2008) ("SWP"), in the Appellant's submission the loss of a safeguarded waste site is very plainly outweighed by other considerations. No party to the appeal has made any suggestion to the contrary. GBC no longer contests RfR7

³³⁴ See Mr McKay's proof at para. 4.14.

³³⁵ SoCG between GBC and the Appellant at para. 6.8.

³³⁶ *Ibid.* at para. 6.17, based on overall delivery of 15,000 dwellings at 40% affordable housing provision.

³³⁷ 800 affordable homes as against 435 delivered in the borough since 2009/10: see also Mr Collins's proof at para. 14.7.

and it is common ground between GBC and the Appellant that very little weight should be afforded to the Appeal Scheme's conflict with the Surrey Waste Plan (2008) ("**SWP**"). That is appropriate for the following reasons (and again, has not been disputed by any party):³³⁸

215.1. Although the planning permission for the IVC facility was implemented and remains extant, the Appellant does not intend to build out the IVC facility. The draft section 106 agreement contains a covenant on the part of the Appellant not to construct or operate the IVC facility.

215.2. The SWP is out-of-date. It is not in conformity with either the NPPF or the National Planning Policy for Waste. A review of the SWP has been envisaged since 2014/2015 but no draft revised plan has been published. SCC does not intend to include the Appeal Site in its new Waste Plan: see Appendix 10 to the proof of evidence of Mr Collins. It has confirmed that there is no justification or intention on its part to seek compulsory purchase for waste use.³³⁹

215.3. Whilst the SWP allocation continues to be noted in the eGBLP (a position that the Appellant disagrees with),³⁴⁰ it is common ground between the Appellant and GBC that the Appeal Site is not currently available for a waste use³⁴¹ and GBC does not expect the Appeal Site to be safeguarded in the new Waste Plan.³⁴²

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

3.8.1. Introduction

216. The conclusion stated in RfR 8 was that *"it has not been demonstrated that the level of development could be accommodated without causing significant harm to the character of the surrounding area and as such the development would fail to comply with policies G1 and G5 of the Guildford Borough Local Plan 2003"*. The quantum and scale of development were cited in support of that conclusion.

217. GBC's position has since evolved. It now considers that the additional restrictions that the Appellant proposes to impose on the parameter plans ("**the Additional Restrictions**"³⁴³) have been effective in limiting the harm that would be caused to the character of the surrounding area, such that the Appeal Scheme would not be so harmful as to justify withholding planning permission on this ground.³⁴⁴

³³⁸ See Section 15 of Mr Collins's proof.

³³⁹ CD 8.15 at para. 4.114 and CD 8.29 at para. 4.140.

³⁴⁰ See the proof of Mr Collins at para. 15.8 ff.

³⁴¹ SoCG (CD12.3) at 6.35.

³⁴² *Ibid.*

³⁴³ See drawings 1715/SK/709 and 1715/SK/710B; CD1.13.6.

³⁴⁴ Proof of evidence of Mr Sherman at para. 2.21.

218. The Appellant agrees with GBC's position. There are no landscape, visual amenity, masterplanning, architectural or design reasons for planning permission to be refused. To the contrary, the limited harm that the Appeal Scheme would cause to the character and appearance of the area would be outweighed by the landscape benefits, ecological enhancement and improvement in amenity value that the Appeal Scheme - through its comprehensive, landscape led design strategy - would secure.
219. We will first address the landscape evidence and then the design evidence. We have explained above how (contrary to the assertion made in RfR 8) the Appeal Scheme complies with Policies G1 and G5 of the Local Plan.

3.8.2. Landscape evidence

220. The only evidence from a qualified landscape architect is that of Mr Davies on behalf of the Appellant. He produced the LVIA for the ES of the Appeal Scheme³⁴⁵. On a related point, it became clear from the oral evidence given to the Inquiry that several parties had not appreciated that only public views are relevant to the LVIA process³⁴⁶.
221. The starting point is that GBC cannot meet its housing needs without expanding outside the urban areas of the borough. Mr Davies explains at para. 2.10 of his proof that some degree of landscape and visual harm will inevitably arise from the Appeal Scheme "*by definition*" i.e. because the character of the Appeal Site will significantly change. Such significant change would, however, result from any residential development proposal outside the urban areas of the borough, unless the specific site were PDL.³⁴⁷

3.8.2.1. Site context and character

222. There are no specific landscape designations within or immediately adjoining the Appeal Site.³⁴⁸ It lies within the *Ockham and Clandon Wooded Rolling Claylands* landscape character type ("LCT") in both the Surrey Landscape Character Assessment ("LCA") and the GBC LCA.³⁴⁹ This is the largest LCT in the GBC LCA, comprising approx. 1,328ha ("E2" - the broader *Wooded Rolling Claylands* LCT ("E") that includes E2 extends

³⁴⁵ Confirmed by Mr Davies in EinC.

³⁴⁶ See GLVIA (3rd ed) p. 107 paras. 6.16 and 6.17. It is important to note that a residential amenity assessment was not requested by GBC, but nevertheless an assessment of visual effects on residential amenity has been undertaken, without access to private spaces and gardens as clearly stated in the Addendum ES and in Mr Davies' evidence. No evidence has been submitted by GBC or any rule 6 party that finds any additional harms from private viewpoints than was predicted in the Addendum ES and Mr Davies' evidence.

³⁴⁷ EinC of Mr Davies.

³⁴⁸ See Mr Davies' proof at p.9.

³⁴⁹ Mr Paton disputed that the Appeal Site lies on clay, but the borehole evidence discussed in Dr Massey's EinC establishes that point conclusively.

over approx. 2,192ha across the borough). The Appeal Site represents only approx. 0.05% of LCT "E" and less than 0.1% of LCT E2.³⁵⁰

223. Mr Davies' evidence is that whilst the Appeal Site is broadly representative of this landscape character type, it particularly lacks the regular, large and medium geometric field pattern bounded by hedgerow enclosures and is not immediately influenced by historic parkland which is strongly present within the LCT.³⁵¹ Long views towards the higher ground of the chalk downs to the south are a key feature from farmland to the north and are not unique to the Appeal Site.³⁵² LCT E1 is closer to the AONB.³⁵³
224. The majority of the Appeal Site has low landscape value and no part of it is a "*valued landscape*" within the meaning of para. 109 of the NPPF. Mr Davies referred to the *Stroud* case (CD11.18) where it was held "*to be valued would require the site to show some demonstrable physical attribute rather than just popularity*". Only Mr Paton asserts that para. 109 of the NPPF has any application here and as Mr Davies explained in evidence-in-chief, he has not produced any assessment of landscape value to the Inquiry.
225. As noted above the SA for the eGBLP notes that a large scheme at Wisley Airfield "*avoids the need to place pressure on the most sensitive Green Belt and/or landscapes designated as being of larger-than-local importance*"³⁵⁴.
226. We return to the physical changes that the Appeal Site has undergone through history below under Main Issue 9 (Heritage). The construction of the airfield resulted in the substantial loss of key landscape features, including hedgerows, trees, rural lanes and farmsteads.³⁵⁵ Mr Davies' evidence³⁵⁶ is that the resulting large scale open landscape of the Appeal Site today contrasts markedly with the landscape typology of the medium scale enclosed agricultural landscape to the south and wooded heathland to the north around Ockham Common. The Appeal Site has fewer of the key characteristic features of the E2 LCT and those which do remain are in a declining condition.³⁵⁷ The current management of the airfield is not aimed at landscape and biodiversity enhancement, allowing scrub encroachment to the west. In addition, whilst the Appeal Site benefits from strong enclosure around its west, northwest and southwest boundaries the hedgerows to the

³⁵⁰ Mr Davies' rebuttal at paras. 2.10 and 2.11.

³⁵¹ Mr Davies' proof at para. 4.65.

³⁵² Mr Davies' summary at para. 3.4.

³⁵³ EinC of Mr Davies.

³⁵⁴ CD8.31, p.21, Box 6.6.

³⁵⁵ Mr Davies' proof at para. 4.80 and Mr Davies' answers in XX by Mr Paton which demonstrated there had been significant loss of hedgerows and copses over a 150 year period.

³⁵⁶ Paras. 3.6 and 3.7 of his summary and para. 4.80 of his proof.

³⁵⁷ Mr Davies' proof at para. 4.81.

east and southeast have become gappy. It is difficult to avoid the degraded effect of approx. 30ha of concrete runway and hardstanding across the airfield ridge.³⁵⁸

3.8.2.2. Landscape character impacts

227. Mr Davies recognises that the character and appearance of the Appeal Site will substantially change. Major magnitude and significant adverse effects will, however, only occur from the PRoW within the Appeal Site and from a small number of dwellings that border it.³⁵⁹ There will be negligible adverse effects on wider landscape character (i.e. beyond the Appeal Site).³⁶⁰ Mr Davies summarised his further conclusions on the landscape character of the Appeal Scheme as follows:³⁶¹

"I have determined that the Appeal Site is not widely influential within the wider landscape and none of the features are rare or extra-ordinary.

The proposed SANG and other areas of GI will include the protection and integration of existing features resulting in relatively few losses of any magnitude or sensitivity.

Significant new planting and habitats will be provided to include new woodland, scrub, hedgerows, grassland and wetland, which are interconnected by a new footpath network increasing public accessibility.

Interlinked open spaces will provide for a range of formal and informal recreational activities including a number of new circular walks.

The topography of the site has already been significantly altered and the proposed tump will not be widely visible, providing a point of interest and affording new panoramic views.

The proposals would not erode the character of the local settlements or cause coalescence. Some increase in traffic on local lanes will be inevitable, but improvements to roads can be designed in a sympathetic manner.

A phased programme of planting to include advanced nursery stock will provide immediate maturity and visual interest within the SANG areas".

228. Mr Davies explained in evidence-in-chief that of the "*Key positive landscape attributes*" listed for LCT E2 in the GBC LCA,³⁶² only the final attribute (views to the open slopes and wooded crest of the chalk downs to the south forming a rural backdrop to the area) would be affected. Those views are not unique to the Appeal Site (above). Moreover, public access to the site (to avail of those views) is at present limited to the existing PRoW. It is proposed to retain those PRoW within green corridors to allow some views out.³⁶³ Perhaps more significantly, a very extensive green infrastructure network (65ha) is to be provided as part of the Appeal Scheme and will open up new views to the public, including those from a circular footpath network through

³⁵⁸ Mr Davies' proof at paras. 4.79 to 4.85 and paras. 3.6 and 3.7 of his summary.

³⁵⁹ Mr Davies' summary at para. 6.8.

³⁶⁰ Mr Davies' summary at para. 6.11.

³⁶¹ Paras. 6.1 to 6.7 of his summary.

³⁶² CD13.48 at p.81.

³⁶³ EinC of Mr Davies.

attractive landscape³⁶⁴ and those from the viewing tump. Mr Sherman accepted in response to a question from the Inspector that the loss of views out from the existing PRoW would be compensated by the additional areas of open space being provided.

229. Mr Miles in cross-examination implied that two further key attributes of the E2 LCT (historic farmsteads; historic villages and village cores) would be impacted by the Appeal Scheme. He provided no evidence in support of this, however. The farmsteads on the Appeal Site were finally all demolished with the advent of the airfield. As to potential indirect effects from traffic on historic villages and village cores, Mr Davies' view³⁶⁵ was that since the roads and lanes in the area are regularly used by traffic at present (such that the area is not "*deeply rural*"), the predicted increases in traffic would not materially affect this key attribute of the E2 LCT.

230. In closing Mr Westmoreland-Smith says³⁶⁶ the Appeal Scheme "*fails to respect both the existing settlement pattern of the area and the nature and form of existing villages*". This assertion is though contradicted by Mr Davies' evidence-in-chief by reference to the Wider Land Use plan in the Addendum ES³⁶⁷.

3.8.2.3. Visual impacts

231. These are outlined at paras. 6.14 to 6.36 of Mr Davies' summary:

231.1. Existing residences: no obtrusive overlooking or loss of privacy is predicted from any properties. Mr Davies' professional view (shared by GBC) is that the loss of visual amenity from existing residences would not warrant refusing planning permission.

231.2. Chatley Semaphore Tower: built development is already a characteristic feature in views from this structure and such development adds to, rather than detracts from, enjoyment of it. It is open to members of the public for 3 or 4 days a year.³⁶⁸ Views of the Appeal Scheme would occupy a relatively narrow (30 degrees) arc within a full 360 degrees panorama. Mr Davies' view is that the Appeal Scheme would successfully assimilate into the landscape backdrop and would not materially affect views of the AONB in the distance³⁶⁹. There has been no objection to the Appeal Scheme on landscape character and/or visual impact grounds from SWT, who manage the Tower. No other party to the

³⁶⁴ *Ibid.*

³⁶⁵ EinC.

³⁶⁶ Closing para. 32.

³⁶⁷ ES fig. 8.

³⁶⁸ EinC of Mr Davies; Mr Bellchamber's closing seeks to suggest the Tower is open more often this is new evidence and it is wrong:

³⁶⁹ The suggestion in WAG's closing (para. 54) that the Appellant accepted that there would be harm to views from the Semaphore Tower is just wrong. Mr Davies in XX said that he had set out the reasons why it would not harm the enjoyment of the view from the Tower and he accorded moderate/major adverse effect to this only by reason of the nature of the change. He did not see the impact as materially harmful. It was not put to Dr Masset by Mr Harwood in XX that his assessment of lack of harm to the Tower in heritage terms was wrong.

appeal has provided any assessment of the Appeal Scheme's visual impact from the Tower and GBC has not raised any concerns in this regard.

231.3. Views from roads: it is apparent from Mr Davies' evidence that visual amenity from roads and lanes would not be significantly harmed.

231.4. PRoWs: whilst the character of views from the PRoW within the Appeal Site will fundamentally and permanently change, most adverse effects will occur where views are already degraded by the runway/hardstanding.

231.5. RHS Wisley: there will not be any significant harm to views from RHS Wisley. Minor glimpses of the taller landmark buildings at the western end of the Appeal Scheme will be seen within a 360-degree panorama from the fruit mound. Furthermore, there is no evidence that there are significant views towards the Appeal Site from the two recently approved developments within RHS Wisley. There has been no objection to the Appeal Scheme on landscape character and/or visual impact grounds from RHS Wisley. No other party to the appeal has provided any assessment of the Appeal Scheme's visual impact from RHS Wisley and GBC has not raised any concerns in this regard.

232. Mr Davies explained in evidence-in-chief that he had additionally considered the points raised by Effingham Parish Council ("EPC") but that the Appeal Scheme would not have a significant impact in views from Effingham. Mr Davies explained in evidence-in-chief that parts of Effingham lie within the refined ZTV (ES Appendix 11.12 - Fig 11) and the PRoW within this area and were subsequently visited during the preparation of the LVIA and a representative view recorded from this location (RVP 13). His conclusion is that mature woodland and tree belts prevent any significant views of the Appeal Site from Effingham. Whilst EPC correctly identify views of London and Heathrow on the skyline from some vantage points, these lie to the east of the Appeal Site, which remains blocked and heavily filtered by foreground woodland.

3.8.2.4. The AONB

233. Longer range views of the Appeal Site are available from a limited number of public viewpoints off the elevated slopes of the AONB. The Appeal Site is however difficult to discern and is viewed as a minor component within a long-distance panorama that is dominated by tree cover and interspersed by numerous villages, towns and the large urban conurbations around London.³⁷⁰

234. Mr Davies' photomontages 3, 4 and 5³⁷¹ illustrate views of the Appeal Scheme from the AONB. However (as he explained in evidence-in-chief) they are a massing model analysis, not a representation of individual

³⁷⁰ Mr Davies' summary at para. 4.11.

³⁷¹ Within Appendix 2 to his proof.

buildings. No landscape mitigation measures are accounted for in the photomontages. The built development that the Appeal Scheme would comprise is also deliberately rendered in light shades to enable the reader to see where it would lie - those buildings would not in reality be so lightly rendered and muted brick colours would recede into the darkened landscape backdrop.

235. The figures at pages 50 and 51 of Mr Bradley's proof of evidence show how locations along Ridgeway Avenue have been identified from the initial massing analysis, with the tallest being located around the village centre. It is not proposed to bring forward a continuous line of 4/5 storey apartment blocks along the Avenue. Mr Davies also explained in evidence-in-chief (i) how the widest of the green infrastructure corridors that is proposed will appear as a substantial green corridor that will reduce and break up linearity in views from the AONB³⁷² and (ii) how the staggered roofscape that is proposed will similarly break up linearity and massing, reducing the potential impact of the Appeal Scheme from the AONB.
236. Mr Davies' conclusion³⁷³ was that taking into account all of the above and once the green infrastructure gaps are planted up, whilst the upper elevations and the roofscape would still be visible from the AONB, the buildings (which will be rendered in materials appropriate to the local vernacular) sit very comfortably in those views and are relatively inconspicuous.
237. Both the OR and the Surrey Hills AONB Planning Adviser concluded that the Appeal Scheme would not materially impact the AONB: see the OR at paras. 10.10.7 and 10.10.9. Mr Sherman affirmed that view in cross-examination. Mr Kiely expressly agrees with the case officer's assessment and also "*with the appellant's [LVIA] in that long range views would not be adversely affected*".³⁷⁴ Having regard to the above, Mr Davies is correct to concur with their views and to conclude that views from the AONB are not significant and that the impact of the Appeal Scheme would not be materially harmful to the AONB. No landscape evidence was produced by the Horsley Parish Councils to back up their claims of harm to the AONB. The Secretary of State can be confident that there would be none.

3.8.2.5. Landscape enhancements

238. The range of landscape and other related recreational and amenity benefits that the Appeal Scheme would provide is set out at paras. 6.27 to 6.29 of Mr Davies' proof and in Table 4 on p.50.

³⁷² See Tab 4 within Appendix 1 to Mr Davies' rebuttal.

³⁷³ EinC.

³⁷⁴ Para. 5.34 of his proof.

239. It should be noted that the viewing tump is not required as mitigation for any harm and so is provided as an enhancement rather than as mitigation³⁷⁵. Also, the management of the SANG and the maintenance in perpetuity of strategic planting and landscaping are two of the principal aims of the WACT (secured by the section 106 agreement). This management and maintenance is a key enhancement that will ensure that both existing and proposed landscape features remain in good condition and, from an ecological perspective, provide enhanced opportunities for habitats and species.
240. It is also necessary to consider how the proposed landscape enhancements respond to what is said in the GBC LCA. As Mr Davies explained in examination-in-chief, woodlands and networks of hedgerows and hedgerow trees are listed amongst the "*Key positive landscape attributes*" of the E2 LCT³⁷⁶ and would be enhanced by the Appeal Scheme. The Landscape Strategy for LCT E2 is "*to conserve the rural pastoral landscape with its network of hedgerows, frequent historic parklands, woodlands and the traditional farmsteads and villages. Elements to be enhanced are the hedgerows, tree cover, and the settlement pattern where this dilutes the rural character of the area*".³⁷⁷ The Appeal Scheme would not impact upon historic parklands, traditional farmsteads or villages and would greatly enhance provision of hedgerows, woodlands and tree cover within the Appeal Site. Mr Davies also explained³⁷⁸ why the Landscape Guidelines for built development³⁷⁹ cannot be used as a template for creating new settlements.

3.8.3. Design evidence

3.8.3.1. A design and landscape-led scheme

241. As already noted, the Appeal Scheme is design-led. As Mr Bradley explained: "*the main aim is to create a highly desirable and sustainable place where people want to live, work and be, now and for generations to come. The vision is to create a new sustainable settlement, a beautiful and enduring place; with spaces for attractive streets, garden and squares; space for food growing and/or foraging; imaginative and innovative play spaces; and open spaces to engage with the wider countryside and immerse oneself in nature*". Mr Bradley gave a detailed explanation in his evidence-in-chief of how the Appellant proposes to realise those objectives.³⁸⁰
242. Landscape considerations have been a key influence in the masterplanning process.³⁸¹ Mr Bradley explained that what others referred to as "*constraints*" were, in his view, opportunities³⁸²: "[t]he requirements for circa 50

³⁷⁵ See Mr Davies' proof para. 6.28; 8th bullet.

³⁷⁶ CD13.48, p.81

³⁷⁷ *Ibid.* p.82.

³⁷⁸ EinC.

³⁷⁹ CD13.48, pp. 83-85.

³⁸⁰ Summary, para. 1.1.1.2.

³⁸¹ EinC of Mr Davies.

³⁸² EinC of Mr Bradley.

hectares of SANG and the other sports/play spaces create a development with more than half of the site designated as open space. This creates a unique opportunity for a landscape-led scheme". As well as being surrounded by landscape, the Appeal Scheme is permeated by it. The four distinct neighbourhoods have generous landscape corridors between them, ranging from approx. 130m to 50m (which Mr Bradley considered to be "still very large"). Each neighbourhood then has its own landscape structure, comprising a principal garden square, green streets, green links, street trees and the private gardens as well. Contrary to the assertion made by Mr Miles³⁸³ that the open space within the Appeal Scheme is merely peripheral, Mr Bradley's evidence was that creating very strong green infrastructure at all levels had been a design principle and that a "living in the landscape" concept had been very much a driver in the masterplanning process.³⁸⁴

243. Mr Bradley also explained how immersing the elements of the Appeal Scheme in landscape had enabled FCB to reduce the urbanising effects of the scheme, by avoiding "the typical urban sprawl of cul-de-sacs and everything else" in to the landscape. His view was that the Appeal scheme was a "garden settlement" that was "suburban and in some parts rural in the way it relates to its landscape".

244. The WACT will play a key role in ensuring the success of this design and landscape-led scheme. It will be a key placemaking body, guaranteeing long-term stewardship of the Appeal Scheme. It will manage the SANG and maintain structural planting and landscaping in perpetuity. It will also provide for community development activities and assets to nurture and ensure a thriving community.³⁸⁵

245. It is important to appreciate that there is flexibility within the design parameters that have been established. Responding to the assertions made by Mr Miles at para. 6.3.56 ff. of his proof, Mr Bradley explained that the nature of applications for outline planning permission is to create a degree of flexibility. The Appeal Scheme would be developed phase by phase - with a more detailed design framework set through submission of conditions, in advance of reserved matters³⁸⁶. Mr Bradley expressed the hope that the parameter plans under consideration on this appeal had preserved the flexibility to create a richer character than it was possible to demonstrate at the initial, outline stage.

3.8.3.2. Scale and density

³⁸³ Para. 6.3.48 of his proof.

³⁸⁴ EinC.

³⁸⁵ Summary of Mr Bradley at para. 1.1.1.5.

³⁸⁶ Mr Bradley EinC.

246. As to scale, Mr Bradley emphasised several times in his oral evidence the importance that had been given to ensuring that the Appeal Scheme respected surrounding areas, even though (owing to sustainability requirements) it was not possible to replicate their scale in the design of the scheme.
247. Mr Bradley responded to the assertions made by Mr Miles at para. 6.3.70 of the latter's proof (that the Appeal Scheme failed to respect its context, etc.) by illustrating the "huge" variation in building types and heights. He explained that without that variation the Appeal Scheme would be monotonous and that the design therefore deliberately presented a majority of buildings in the lower spectrum of height (2/3 storeys) with "accents" of higher buildings (that would also perform a wayfinding function) and then terraces and individual homes with slightly more grandeur to them. This pattern of trying to create variety and interest is well accepted.³⁸⁷
248. In particular, Mr Bradley confirmed that the proposal to place 4 storey dwellings along the northern edge (the boundary with the SANG) was deliberate and design (rather than constraint) led. His view was that the SANG required a more defined edge (albeit one deliberately perforated by three green corridors) and that a smaller-scale edge "wouldn't feel right". Of course, the details are all for reserved matters stage.
249. As to density, GBC's SPG is still in force but relates to Local Plan Policy H10, which was not saved in 2007 and has expired. It also reflected national guidance in PPS3, which is no longer extant. No figure or range is specified in the eGBLP. The Housing White Paper at para. 2.5.2.9 states that where housing demand is high, best use should be made of density³⁸⁸. Demand for housing is high in Guildford and land is scarce (because 89% of the borough is within the Green Belt). The Government's view is that in such a situation high density should be encouraged where possible. All of these points were accepted by Mr Sherman in cross-examination.
250. We have dealt with the (erroneous) suggestion that the design brief for the Appeal Scheme was to fit 2,000 dwellings on to the Appeal Site.
251. Mr Miles argues that "*density and form has to have regard to local character and context as set by the existing villages within the local area*" and that the Appeal Scheme is defective in this respect. Local densities are too low to be adopted in a sustainable development, however.³⁸⁹ Mr Bradley explained that whilst local densities had (for that reason) not been adopted, the Appeal Scheme had been designed in a way that he considered to be sensitive to local context and setting. The density is: 30 to 32 dwellings per hectare ("**dph**") gross across the Appeal Site excluding the SANG; 49 dph net calculated in accordance with former PPS3 methodology (there

³⁸⁷ EinC.

³⁸⁸ For all of these see Mr Bradley's proof at section 2.5.

³⁸⁹ Mr Bradley's EinC.

being no up-to-date methodology) and 18 dph gross across the Appeal Site including the SANG. Mr Bradley's evidence was that a net density within the 30-50 dph range was regarded as a good approach to creating efficient, optimum density and sustainable neighbourhoods.

3.8.3.3. The south-eastern corner of the Appeal Site

252. In response to questions from Mr Bird QC about the design response to the south-eastern corner of the Appeal Site (the proposed "Orchard Neighbourhood" and the context of Ockham), Mr Bradley explained that there had been a conscious design intent to touch Ockham Lane and Old Lane - sensitively - because it was considered important both in landscape terms but also in terms of the local community to connect the new neighbourhood to the existing neighbourhood. The south-eastern corner of the Appeal Site is the only place that such a connection can be achieved.³⁹⁰ In his evidence-in-chief Mr Bradley showed how that part of the Appeal Scheme could be brought forward in compliance with the Additional Restrictions³⁹¹: his evidence was that it would not be necessary to build out right to the edge of the parameters shown; there would be opportunity to pull back, create space and create a much more interesting set of boundary and edge conditions.

253. Furthermore, the net density of the Orchard Neighbourhood is 39.5 dph, which is nearly 10 dph lower than the net density of the entirety of the Appeal Site³⁹².

3.8.3.4. Bridge End Farm

254. Finally on design matters, Mr Sherman at para. 9 of his rebuttal states: "*[w]hile I remain of the view that the design approach now employed would help to minimise the impact of the appeal scheme, the creation of a settlement in this location is not one which needs to be restricted to the appeal site. The development of a wider site could further reduce the harm that would be caused to the character and appearance of the surrounding area*". He is referring to the possibility of developing the entirety of the draft Policy A35 allocation in the eGBLP (i.e. the Appeal Site together with the Bridge End Farm land to the south: "**the A35 Allocation**").

255. The suggestion that the A35 Allocation should be comprehensively developed is made for the first time in Mr Sherman's rebuttal. The document that Mr Sherman was taken to in re-examination in an attempt to show that the suggestion had been made previously dates from June 2017.³⁹³

³⁹⁰ *Ibid.*

³⁹¹ CD1.13.7.

³⁹² ID101.

³⁹³ CD8.29, the Housing Topic Paper.

256. Mr Sherman confirmed in cross-examination that he was not suggesting that allowing this appeal would prejudice the possibility of development coming forward to the south, on the remainder of the A35 Allocation. Mr Bradley's evidence was that it would not do so; his view was that if the Bridge End Farm land were to come on-stream it would be possible to produce an integrated and sensitive development context.
257. Mr Sherman's argument was, rather, that the impact of the Appeal Scheme on the character and appearance of the area would be reduced if it were laid out across the entirety of the A35 Allocation. There is, however, no requirement within draft Policy A35 that a single application for planning permission be submitted and/or a single masterplan be produced, for the entirety of the allocation. There is no requirement that the whole allocation be comprehensively developed. As Mr Sherman accepted, other draft policies in the eGLP do include such a requirement: see e.g. draft Policies A6 and A7.
258. GBC flatly contradicts itself in advancing the suggestion made by Mr Sherman. He argues that the Appeal Scheme should be developed across the land to the south at Bridge End Farm as well as the Appeal Site because it would allow for a better layout. The land at Bridge End Farm is however closer to Ockham and abuts the conservation area. Elsewhere in its case on this appeal GBC argues against the Appeal Scheme on the ground that it would offend the fourth Green Belt purpose by impacting on Ockham village. Furthermore, whilst GBC itself does not assert any harmful impact to the Ockham Conservation Area (as opposed to Ockham village), Dr Massey in response to Councillor Cross said that if the Bridge End Farm land were developed it could have a considerably greater impact on the Ockham Conservation Area than would the Appeal Scheme.

3.8.4. Conclusions

259. Whilst there are some significant localised visual impacts and whilst the landscape character of the Appeal Site would change significantly, these impacts are not sufficient to justify refusing planning permission. The Appeal Site presents a unique opportunity for a new sustainable settlement and the comprehensive, landscape led strategy that is proposed will provide significant landscape benefits, ecological enhancement and improvement in amenity value, which will outweigh the localised harm identified. Overall therefore there are no landscape, visual amenity, masterplanning, architectural or design reasons for planning permission to be refused.

3.9. The effect of the Appeal Scheme on Grade II listed Yarne and other nearby heritage assets

3.9.1. Introduction

260. Main Issue 9 relates to RfR9. We make the following preliminary points.

261. First, RfR9 refers only to Yarne and does not raise any issues in respect of the other heritage assets referred to by Rule 6 parties. As to Yarne, whilst RfR9 states that it has not been demonstrated that the Appeal Scheme could be accommodated without giving rise to either significant or less than significant [*sic*] harm to Yarne, having since taken into account the additional restrictions that is it proposed to impose on the relevant parameter plan and secure by way of planning condition ("**the Additional Restrictions**": we return to these below), GBC is now satisfied that the Appeal Scheme "*could be accommodated without material harm to the setting or the significance of Yarne*"³⁹⁴ and that, provided that the Additional Restrictions are imposed, the Appeal Scheme "*would not materially impact*" on the setting or significance of Yarne.³⁹⁵ Having reached those conclusions, GBC chose not to present detailed evidence in respect of RfR9 to the Inquiry.³⁹⁶

262. Second, Dr Massey is the only professional heritage witness to have presented evidence to the Inquiry.³⁹⁷ The methodology that he has used in undertaking the relevant assessment is summarised at para. 2.1 of the summary of his proof and a fuller account provided in sections 2 and 6 of his proof. Dr Massey explained in evidence-in-chief that the methodology that he had employed was as advised in current Historic England guidance. He confirmed that the designated heritage assets that he had assessed were the following:

262.1. Yarne;

262.2. Ockham Conservation Area;

262.3. The listed buildings set out at para. 3.29 of his proof;

262.4. Chatley Semaphore Tower;

262.5. RHS Wisley; and

262.6. The impact of potential increases in traffic flow on the following Conservation Areas: East and West Horsley, Ripley, Ockham and Downside.

263. Third, having undertaken the above assessment Dr Massey's conclusions are that the Appeal Scheme would result in less than substantial harm to the following designated heritage assets only³⁹⁸:

263.1. Yarne (the harm would fall within the lower range of "*less than substantial harm*");³⁹⁹

263.2. Upton Farmhouse (again, the harm would fall within the lower range of "*less than substantial harm*");⁴⁰⁰

³⁹⁴ GBC SoC (CD1.6) at 6.9.2 and 6.9.3.

³⁹⁵ Proof of Mr Sherman at 2.25 and 2.26.

³⁹⁶ *Ibid.*

³⁹⁷ For the avoidance of doubt and as confirmed by Dr Massey in RX, the Appellant's case on Main Issue 9 is as presented in Dr Massey's evidence.

³⁹⁸ WAG's closing says that Dr Massey accepted harm to six heritage assets (see para. 54); this is not correct.

³⁹⁹ See Dr Massey's summary of his proof at para. 7.4.

⁴⁰⁰ *Ibid.*, para. 9.5.

- 263.3. Appstree Farmhouse (indeed, in evidence-in-chief Dr Massey confirmed that he considered that “negligible harm” would be caused to Appstree Farmhouse, as stated at para. 8.13 of his proof); and
- 263.4. Ockham Conservation Area (harm from the impact of potential increases in traffic flows only, as opposed to harm from the impact of the development that it is proposed to bring forward on the Appeal Site itself).⁴⁰¹

3.9.2. Yarne

3.9.2.1. A proper understanding of setting

264. As Dr Massey explained in evidence-in-chief, a proper understanding of the concept of "setting" is fundamental to heritage impact assessment. Para. 132 of the NPPF provides that "[s]ignificance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting". The issue as regards Yarne is potential harm/loss of significance through development within its setting, as the Grade II listed building will not itself be altered or destroyed by the Appeal Scheme.

265. The setting of a heritage asset is defined in the NPPF Glossary in the following terms:

"The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral".

266. Mr Paton did not accept that a heritage asset has a singular setting, albeit made up of a number of aspects, and explained that he had referred to "settings" in the plural⁴⁰² deliberately. He referred to Historic England's *Historic Environment Good Practice Advice Note 3: The Setting of Heritage Assets*⁴⁰³ ("GPA3") and the mention on p.2 of that document of "nested and overlapping" settings. Dr Massey clarified in re-examination that Yarne is not an instance of nested or overlapping settings but rather has a single setting.

267. Mr Miles⁴⁰⁴ and Mr Paton⁴⁰⁵ both criticised Dr Massey for placing too much reliance on visual evidence and visual reasoning in assessing the extent of the relevant heritage assets' settings. As to that criticism:

267.1. The significance of views to setting is very evident from GPA3,⁴⁰⁶ which addresses "*Views and setting*" at paras. 5 to 8 and states that:

"The contribution of setting to the significance of a heritage asset is often expressed by reference to views, a purely visual impression of an asset or place which can be static or dynamic, including a variety of views of, across, or including that asset, and views of the surroundings from or through the asset, and may intersect with, and incorporate the settings of numerous heritage assets".

⁴⁰¹ Para. 2.9 of Dr Massey's rebuttal.

⁴⁰² P.24 of his rebuttal.

⁴⁰³ CD13.52.

⁴⁰⁴ Para. 6.4.70 of his proof.

⁴⁰⁵ Section 3.4 of his rebuttal.

⁴⁰⁶ CD13.52.

GPA3 goes on to explain the importance of a "Zone of Visual Influence" or "Zone of Theoretical Visibility" in identifying the heritage assets affected and their settings: see para. 14. Thus, whilst the surroundings in which a heritage asset is experienced will not in every case necessarily be limited to the surroundings from which the heritage asset can be seen,⁴⁰⁷ GPA3 plainly advocates an approach in which visual reasoning plays a key role.

267.2. "Other sensory impacts" are expressly considered at paras. 4.2 and 6.3 of Dr Massey's proof. He describes his approach more fully in his rebuttal. Having noted what is said in GPA3, he explains (para. 2.2) that:

"...The extent and importance of setting is often expressed by reference to visual considerations, but may also comprise other factors which contribute to the ways in which the heritage asset is experienced, including noise, vibration, pollutants and nuisances, tranquillity, remoteness etc.

2.3 Due consideration has been given to all aspects of setting in respect of all designated heritage assets assessed within my Proof of Evidence, including historical and functional associations, spatial and visual relationships with other designated assets and village centres, together with extraneous factors affecting the appreciation of setting, including noise, traffic, intervening topography and vegetation, and seclusion (i.e. Yarne). This has been fully in accordance with current sectoral guidance and statutory requirements..."

267.3. Dr Massey then explains that "[i]n view of the exclusively rural circumstances pertaining to the heritage assets assessed for the purposes of this Appeal, the only additional sensory impact which can reasonably be considered is that of sound". His assessment of this impact is provided at paras. 2.4 and 2.5 of his rebuttal.⁴⁰⁸

267.4. Mr Paton argued that Dr Massey's approach failed to accord with what was said by Lang J in *Steer v SSCLG* [2017] EWHC 1456 (Admin).⁴⁰⁹ Two key points should be drawn from that decision:

267.4.1. Whilst a physical or visual connection between a heritage asset and its setting will often exist, it is not essential or determinative. The term setting is not defined in purely visual terms in the NPPF which refers to the "surroundings in which a heritage asset is experienced". The word "experienced" has a broad meaning, which is capable of extending beyond the purely visual: see [64] of the judgment.

267.4.2. The term "surroundings" in the NPPF definition of setting does place a geographical limitation on the extent of the setting: see [67].

267.5. As is evident from the above and as Dr Massey made clear in his oral evidence, in identifying the settings of the relevant heritage assets Dr Massey has not impermissibly restricted himself to consideration of intervisibility only, albeit that such consideration has - legitimately - formed a key

⁴⁰⁷ The bells of a listed church might, for example, be audible even where the church itself is not visible.

⁴⁰⁸ See also para. 4.3.

⁴⁰⁹ ID75. The case is presently on appeal to the Court of Appeal.

plank of his assessment. Rather, he has considered the various ways in which the relevant heritage assets might be experienced. That approach accords entirely with the judgment of Lang J in *Steer*.

267.6. It is particularly important to understand the relevance of historical associations to setting correctly. A central theme of Mr Paton's criticism of Dr Massey's work was that Dr Massey had ignored a number of historical associations that Mr Paton considered to be relevant. However, as Dr Massey explained in his oral evidence and as clearly results from the definition of setting given in the NPPF, historical associations do not *per se* necessarily constitute setting. They comprise part of setting only if they are part of the surroundings of the heritage asset that can be experienced.

268. In considering the impact that the Appeal Scheme would have on the significance of Yarne, it is also important to acknowledge that the question is not whether the setting of Yarne would change. Rather, the question is whether the setting of Yarne would change in a way that harms the significance of the listed building. Thus, where development within the setting of a heritage asset will alter or remove views out from the asset, the proper analysis is to ask what those views contribute to the heritage significance of the asset.⁴¹⁰

3.9.2.2. Yarne: Process of assessment

269. An initial assessment of Yarne was undertaken in the October 2013 desk-based assessment.⁴¹¹ That was subsequently reflected in the Addendum ES⁴¹² and then in May 2016 Dr Massey produced a comprehensive *Additional Setting Impact Assessment Addendum* (CD13.56), a 44 page document that is concerned primarily with the impact of the Appeal Scheme on the setting of Yarne. At paras. 8.7 to 8.11 of that document Dr Massey recommended a number of mitigation measures that would "*further assist in reducing any potential impacts to the setting of Yarne and the Ockharm Conservation Area*".

270. Following production of the May 2016 assessment, the Additional Restrictions were proposed in August 2016: they are shown on drawing 1715/SK/709 (CD1.13.7). Dr Massey confirmed in evidence-in-chief that in his view the Additional Restrictions gave effect to the recommendations that he had made in the May 2016 assessment. Detailed analysis on this point is provided at paras. 7.27 to 7.34 and 7.39 to 7.47 of Dr Massey's proof. We consider the Additional Restrictions further below.

271. Mr Paton suggested to Mr Bradley that the Additional Restrictions were (in short) imposed too late, after the Appeal Scheme had been designed. Dr Massey's evidence on that point was that the timing of the May 2016

⁴¹⁰ Dr Massey's EinC.

⁴¹¹ CD13.53 at paras. 6.12 to 6.16; intervisibility represented at fig. 30.

⁴¹²CD14.1.10 at 10.4.17 to 10.4.21.

assessment was immaterial, because exactly the same conclusions would have been arrived at had potential effects been assessed to the degree of detail contained in the May 2016 assessment at an earlier stage.⁴¹³ In the Appellant's submission Dr Massey was correct to observe that the claim made by Mr Paton⁴¹⁴ that no steps have been taken to mitigate the effects of the Appeal Scheme on Yarne is "*patently untrue*".

3.9.2.3. Yarne's significance

272. A proper understanding of the significance of Yarne is essential to a correct assessment of the heritage impact that the Appeal Scheme would have upon it. Mr Paton has, with respect, failed to understand where the heritage significance of Yarne lies, as a result of which his argument is fundamentally flawed. Yarne's significance relates to the architectural and historic interest inherent in the surviving later medieval and/or post-medieval fabric of the building, and the evidence of later change and adaptation (although none of the later changes and additions are in themselves of sufficient architectural or historical interest to merit designation).⁴¹⁵ No heritage values or significance relating to Yarne's relatively early origins are readily apparent from its current external appearance.⁴¹⁶ The position is well summarised by Dr Massey at para. 7.18 of his proof in the following terms:

"The Listed Building itself represents a number of successive, accretive phases of historical development, not all of which contribute equally to its significance. Its current appearance, and most particularly that of its principal southern elevation, offers little immediate sense of its historic character, or significance. Those aspects of its historic fabric from which it derives its principal significance are not readily appreciable from its exterior, and have no visual or historical connection with the wider setting of the house. The modern form of the house and surrounding garden which are visible from parts of the Appeal Site are essentially the result of more recent cosmetic changes, which do not necessarily reflect the historic character of the building or its surroundings".

3.9.2.4. The extent of Yarne's setting

273. Dr Massey's position is that part of the Appeal Site forms a part of the wider setting of Yarne. He explained in evidence-in-chief that he used the term "wider" in distinction to the primary or immediate⁴¹⁷ setting of the listed building, which in his view was confined to the curtilage of Yarne (within the boundary hedgerows). It is important to appreciate the extent to which the boundary hedge limits views into the Appeal Site from the listed building itself and from within its immediate setting (i.e. its curtilage). Dr Massey's view was that the

⁴¹³ Dr Massey's EinC.

⁴¹⁴ Rebuttal, para. 1.8.

⁴¹⁵ Para. 7.6 of Dr Massey's proof; and EinC.

⁴¹⁶ *Ibid.*, para. 7.7. Mr Paton did not pursue his assertion that Yarne was refronted by Voysey. There is no evidence to that effect before the Inquiry and Mr Paton himself admitted (whilst XXing Dr Massey) that he could not prove it.

⁴¹⁷ He confirmed in XX that he used those two terms interchangeably.

boundary hedge seemed deliberately designed to restrict visibility between Yarne and the Appeal Site and to make Yarne a visibly enclosed entity.⁴¹⁸

274. Turning to the wider setting of Yarne, Mr Paton asserts that the Appeal Site is "*the main tract of agricultural land*⁴¹⁹ in the centre of the Parish of Ockham and it forms an integral part of the setting of Ockham's hamlets and its Conservation Area",⁴²⁰ that Ockham village is an "*integrated whole*" that includes the Appeal Site,⁴²¹ that Yarne is "*all of a piece*" with the other designated heritage assets within the Ockham Conservation Area⁴²² and that Yarne's wider setting is Ockham.⁴²³ As to those assertions:

274.1. Ockham village is not an integrated whole: see the view expressed by Pevsner;⁴²⁴ the Appellant additionally notes that both Historic England⁴²⁵ and GBC⁴²⁶ acknowledge that it is a "*dispersed settlement*".

274.2. As Dr Massey explained in his evidence-in-chief, whilst there are historical associations between Ockham village (including the Conservation Area) and Yarne, the former is not part of the latter's setting. In any event, given the location of the Appeal Site the historical associations between Yarne and Ockham would not be impacted by the Appeal Scheme.

274.3. Mr Paton specifically criticised Dr Massey for omitting to include the Ockham Park Estate in his assessment of Yarne's setting. Again, however, it does not follow from the fact that there are historical associations between Yarne and the Ockham Park Estate that the latter is part of the former's setting: it is not.⁴²⁷ In any event, Dr Massey's evidence was that those historical relationships would not be affected by the Appeal Scheme.

275. Mr Paton further asserts⁴²⁸ that there are "*strong grounds*" for expanding the Ockham Conservation Area to include Yarne. No evidence was produced in support of that assertion. Dr Massey's view was that it was hard to pinpoint any degree of unity or other reason why Yarne should be included in the Conservation Area and that Yarne was located at a sufficient distance from Ockham village to make the claim "*impossible*".

⁴¹⁸ This effect will of course be heightened in the event that a wall is erected within the curtilage of Yarne at its boundary with the Appeal Site, as Mrs Paton informed the Inquiry was her intention should the Appeal Scheme be granted planning permission. This was also included in the list of suggested conditions from Mr and Mrs Paton. Mr Paton in XX said that if Yarne was removed from the Green Belt, as is currently proposed, his land would be developed before the Appeal Site.

⁴¹⁹ There is no evidence of the Appeal Site being farmed from Yarne, save that a very small area was leased with Yarne in the 1930s and early 1940s.

⁴²⁰ Rebuttal para. 2.4.12.2.

⁴²¹ *Ibid.* 2.4.3.2.

⁴²² *Ibid.* para. 2.4.4.3.

⁴²³ *Ibid.* para. 2.4.1.

⁴²⁴ Para. 8.3 of Dr Massey's proof.

⁴²⁵ CD5.13.

⁴²⁶ The OR (CD6.1) at para. 10.20.6.

⁴²⁷ Evidence-in-chief of Dr Massey.

⁴²⁸ Rebuttal para. 2.4.14.

3.9.2.5. The contribution made by Yarne's setting to its significance

276. Having regard to where the significance of Yarne lies (above) and to the guidance set out in GPA3 at *Assessment step 2: assessing whether, how and to what degree settings make a contribution to the significance of the heritage asset(s)*,⁴²⁹ in the Appellant's submission Yarne's setting does not greatly contribute to its significance. There is not, for example, any intentional intervisibility with other historic and natural features, nor are there any cultural associations.⁴³⁰ In this regard it is also necessary to consider the way in which Yarne's setting has evolved through to the present day.

3.9.2.6. The evolution of the Appeal Site as part of Yarne's setting

277. As Dr Massey explained in his evidence-in-chief, it is important to consider the evolution of Yarne's setting through time because those aspects of setting that most closely relate to the period of time from which the heritage asset principally draws its significance (here, the later medieval and/or post-medieval period) are of more heritage value than those aspects of setting that are related to other periods in time, which are of very limited heritage value.

278. The evidence of historical mapping provided at para. 7.23 of Dr Massey's evidence illustrates the historical landscape character of the Appeal Site (as part of Yarne's setting) prior to the advent of the airfield in the mid-20th century. Additional historical maps are reproduced in the 2013 desk-based assessment (CD13.53, figures 3 to 14). Dr Massey explained that the coming of the airfield represented radical change to the quality of the landscape within the Appeal Site. Although the historical mapping shows some evidence of field amalgamation by 1920, all remaining field boundaries were removed by the airfield. In addition, three historical farmsteads were demolished.

3.9.2.7. The current nature of the Appeal Site as part of Yarne's setting

279. The Surrey Historic Landscape Characterisation Survey records the Appeal Site as principally comprising "*disused airfield*", with small elements comprising "*miscellaneous valley-floor fields and pastures*" and "*medium to large regular fields with wavy boundaries*".⁴³¹ As to whether the Appeal Site is properly regarded as falling within Landscape Character Type E2 (Ockham and Clandon Wooded Rolling Claylands), the borehole data⁴³² establishes conclusively that clay lies underneath the Appeal Site (beneath the initial sand/gravel layer) but

⁴²⁹ P.9.

⁴³⁰ Dr Massey's EinC.

⁴³¹ Dr Massey's proof at 4.8.

⁴³² CD14.1.64.

that question is in any event entirely irrelevant to the assessment of heritage impact, as Dr Massey explained in evidence-in-chief.

280. Mr & Mrs Paton claim that the Appeal Scheme *"will remove historic green spaces which contribute so much to the character and provide the valuable historic and visual context to the historic parish settlements"*.⁴³³ However, as Dr Massey explains at para. 4.20 of his rebuttal, *"no explanation is given as why it is inherently 'historic', or now constitutes 'green space'. This area may once have comprised part of the historic landscape setting of Yarne, but is now a former airfield consisting partly of previously developed land, and elsewhere of commercial arable farmland. Surviving elements of the former airfield have very limited heritage significance. Reference should be made in this context to the description of the Appeal Site in the Asset of Community Value application of 2016, which was refused on 24th January, 2017 (CD2.20)"*.

3.9.2.8. The contribution currently made by the Appeal Site to Yarne's significance

281. In summary, that aspect of the wider setting of Yarne comprising the Appeal Site has itself been subject to considerable historical change and consequently makes no positive contribution to the significance of Yarne.⁴³⁴ As Dr Massey explains at paras. 7.19, 7.21 and 7.22 of his proof, whilst Yarne retains much of its original historic setting to the south and east, there has been major change to the character of its setting to the north and west. Mr & Mrs Paton are thus plainly wrong to suggest that *"[o]ccupants of Yarne continue to experience the landscape in a form that would be recognised by their predecessors before the Napoleonic Wars"*: see Dr Massey's rebuttal at para. 4.21.

282. The common usage of part of the Appeal Site with Yarne immediately prior to its acquisition for the airfield is also a historical association of very limited heritage value, as Dr Massey explains at para. 4.13 of his rebuttal (and as he confirmed in evidence-in-chief).

3.9.2.9. The impact that the Appeal Scheme would have on the significance of Yarne

283. Coming finally, in the light of the points made above, to the question of what impact the Appeal Scheme would have on the significance of Yarne, in the Appellant's submission Dr Massey's conclusion that there would be only less than substantial harm (and within the lower end of that range) to Yarne's significance is well supported by the evidence⁴³⁵. Two points in particular merit more detailed consideration:

⁴³³ Proof at 2.4.2.6.

⁴³⁴ Dr Massey's summary at 7.1, confirmed in EinC.

⁴³⁵ The reasons for his conclusion are summarised at paras. 7.36 and 7.37 of his proof.

284. First, views. As noted above, the boundary hedge at Yarne seems deliberately designed to restrict visibility between Yarne and the Appeal Site and to make Yarne a visibly enclosed entity. Views from Yarne into the Appeal Site are therefore possible from the first floor, but limited from ground level. Furthermore, as the evidence of Mr Davies shows,⁴³⁶ the ridge heights of those buildings within the part of the Appeal Scheme that is adjacent to Yarne (55.7m AOD) and of Yarne itself (55.52m AOD) are very similar. One of the Additional Restrictions (see drawing 1715/SK/709) prohibits terracing and requires frontages to be permeable with max 2:1 building to gap ratio. There will also be a 20m separation between the curtilage of Yarne and any building within the Appeal Site (we return to this below). As regards the "*Enhanced Boundary Vegetation*" that is illustrated in section B-B within Appendix 1 to the proof of Mr Davies, it should be noted that one of the proposed principal aims of the WACT is the "*maintenance in perpetuity of strategic planting and landscaping to protect the setting of nearby heritage assets including Yarne and Ockham Conservation Area*" (above).

285. At para. 7.17 of his proof Dr Massey states that the views from Yarne across the site are of "*no particular visual amenity or aesthetic value, or historic significance*". He clarified in evidence-in-chief that it is the latter aspect, historic significance, that is relevant to an analysis of the impact of the Appeal Scheme on Yarne's significance. Dr Massey's evidence was that whilst views from Yarne across the Appeal Site would be blocked by elements of the Appeal Scheme, those views did not of themselves have any heritage value. See the following passage from his rebuttal:

"Such long-range key views are only possible because of historically-recent landscape changes within the Appeal Site, and do not relate to any aspect of the wider setting of Yarne which contributes to its significance. Such views have no intrinsic heritage significance. Those views which do have heritage significance i.e. which comprise aspects of setting which contribute to the significance of Yarne, are those views to the east and south which visually connect Yarne with surviving elements of enclosed landscape with which it had a functional and historical relationship".

Dr Massey confirmed that those views to the east and south would be not be affected by the Appeal Scheme. Thus, "*any aspects of wider setting which contribute to the significance of Yarne, including visual connections with Ockham Lane, Martyr's Green and surviving elements of historic landscape to the south and east, would remain unimpaired*".⁴³⁷

286. A second important element of the reasoning behind Dr Massey's conclusion that there would be low level less than substantial harm to Yarne's significance is summarised at para. 9.7 of his proof:

"Those identified heritage values which principally contribute to the significance of Yarne, relate entirely to its physical fabric, and these would remain wholly unaffected by the Proposed Development".

⁴³⁶ Appendix 1 to his proof, sections BB and E.

⁴³⁷ Para. 9.7 of Dr Massey's proof.

287. As explained above, Mr Paton has failed to appreciate where the significance of Yarne lies. He was unable in cross-examination to explain what he had understood by the concept of "*substantial harm*" (as used in the NPPF in contrast to "*less than substantial harm*") and stated that understanding that concept had not been essential to his case. No definition of the concept is articulated in his written evidence.
288. The SA of the eGBLP (CD8.31) states at para.10.8.3 that "*there should be good potential to mitigate impacts*" on designated heritage impacts. Dr Massey agreed with that statement and explained that in his view the Additional Restrictions had done so.⁴³⁸
289. In short: under consideration is change to a part of the wider setting of a Grade II listed building, which part has evolved through time such that it presently makes no positive contribution to the asset's significance. Dr Massey is correct to conclude that any harm resulting from the change that would occur here falls within the lower end of the less than substantial range. Indeed, GBC considers that there will be no material harm to Yarne's significance.

3.9.2.10. The Additional Restrictions

290. Dr Massey's professional view⁴³⁹ having regard to drawing 1715/SK/709 (CD1.13.7) was that the proposed Additional Restrictions sufficed to make the Appeal Scheme acceptable in heritage terms, because he regarded a separation of between 20-30m between Yarne's curtilage and buildings within the Appeal Site as acceptable.
291. It has, however, been observed that drawing 1715/SK/709 shows a separation of *circa* 10m⁴⁴⁰, with the appendices to the proof of Mr Davies showing *circa* 17m separation. The Appellant has therefore proposed that Condition 16 provide that "[t]he relevant reserved matters applications [...] shall ensure that no building shall be within 20mm of the site boundary with the Grade II Listed Building Yarne...", to ensure the separation distance that Dr Massey considered to be acceptable⁴⁴¹.

3.9.3. Ockham Conservation Area

292. Dr Massey's professional view (see para. 9.12 of his proof) is that development within the Appeal Site would be minimally visible from the margins of the Conservation Area, which would result in a negligible level of

⁴³⁸ RX of Dr Massey.

⁴³⁹ Expressed in RX.

⁴⁴⁰ Albeit that the drawing is labelled "*Do not scale*", and is a plan to show the areas of development and the separation is that of edge plot to boundary.

⁴⁴¹ ID78 demonstrates that the indicative masterplan as revised to reflect the Additional Restrictions shows the nearest buildings to be c. 20m from the curtilage of Yarne.

harm to the significance of the Conservation Area. Dr Massey has additionally assessed (in his rebuttal) the impact of potential increases in traffic flows and has concluded (para. 2.9) that only a low level of harm, falling considerably below the level of "*substantial harm*" (in NPPF terms) would result from the Appeal Scheme.

293. There is no evidence before the Inquiry that contradicts Dr Massey's assessment of the impact on Ockham Conservation Area:

293.1. Whilst Historic England does not routinely comment in respect of Grade II listed buildings, it does provide advice on proposals that would affect the character or appearance of Conservation Areas.⁴⁴² It has not objected to the Appeal Scheme.

293.2. The OR⁴⁴³ concludes at para. 10.20.7 that there would be no material harm to the character and appearance of the Conservation Area and no harm to significance (it should also be noted that the OR concludes at para. 10.20.10 that there would be no material impact on the setting or significance of Upton Farmhouse);

293.3. Ockham Conservation Area is not mentioned in the RfR;

293.4. GBC's SoC⁴⁴⁴ states at para. 6.9.1 that "[t]he Council is satisfied that the development would be sufficiently distant from the Ockham Conservation Area such that there would be no material harm to its special character, appearance or setting"; and

293.5. Although Mr Sherman refers to the Conservation Area at para. 4.12 of his proof in relation to the fifth Green Belt purpose that is set out at para. 80 of the NPPF, he confirmed in oral evidence that he was not asserting (and had never asserted) that the Appeal Scheme would harm the significance of the Ockham Conservation Area as a designated heritage asset.

3.9.4. Chatley Semaphore Tower

294. Chatley Semaphore Tower was raised by WAG in cross-examination of Dr Massey. It is a Grade II* listed building.

295. As such, Historic England is a statutory consultee on proposals that would have direct or indirect impacts on it.⁴⁴⁵ As noted above, it has not objected to the Appeal Scheme.

296. The Tower is managed by SWT.⁴⁴⁶ SWT has not objected in respect of the Tower either.

⁴⁴² Historic England (then English Heritage) initial consultation response dated 23 January 2015 (CD5.13).

⁴⁴³ CD6.1.

⁴⁴⁴ CD1.6.

⁴⁴⁵ Historic England (then English Heritage) initial consultation response dated 23 January 2015 (CD5.13).

297. GBC's view is that the Appeal Scheme "*would not impact on the significance or setting of the Chatley Semaphore Tower*" (SoC, para. 6.9.1).⁴⁴⁷
298. Dr Massey provides an assessment of the impact of the Appeal Scheme on the Tower in his proof.⁴⁴⁸ His conclusion (para. 9.17) is that the Appeal Scheme would not result in any appreciable harm to the significance of the Tower. He refers at para. 8.34 of his proof to the 2013 desk-based assessment,⁴⁴⁹ which at paras. 6.31 and 6.32 notes that "*the intervisibility with other signalling stations and topographic situation form the key aspects of the setting of the Listed building*" before concluding that the Appeal Scheme would not inhibit that intervisibility and would not impact upon the Tower's topographic situation.
299. It was not suggested to Dr Massey that any of the above assessments were incorrect.
300. WAG has not produced any heritage impact assessment of its own in respect of the Tower (nor has any party save for Dr Massey). WAG's SoC⁴⁵⁰ includes at para. 3.27 a list of the listed buildings that WAG considers will be harmed by the Appeal Scheme. The Tower does not feature on that list. The advice given by leading Counsel to WAG was that there "*may*" be harm to the Tower (wrongly stated to be Grade II listed).⁴⁵¹
301. Having regard to the above, there is no evidence before the Inquiry that the Appeal Scheme would cause any appreciable heritage harm to the Tower.

3.9.5. RHS Wisley

302. RHS Wisley was also raised by WAG in cross-examination of Dr Massey and a very similar analysis obtains, that is:
- 302.1. RHS Wisley is also Grade II* listed;
- 302.2. Historic England expressly stated that they did not wish to object to the proposals insofar as they related to RHS Wisley;⁴⁵²
- 302.3. RHS Wisley has not itself objected to the Appeal Scheme on grounds of heritage impact;
- 302.4. GBC does not consider that the Appeal Scheme would materially impact on the listed gardens at RHS Wisley;⁴⁵³

⁴⁴⁶ Proof of Mr Davies at p.66.

⁴⁴⁷ CD1.6.

⁴⁴⁸ Paras. 3.14, 3.17, 3.20, 8.34, 9.17.

⁴⁴⁹ CD13.53.

⁴⁵⁰ CD1.11.

⁴⁵¹ Advice of Mr Harwood QC dated 17 May 2016, attached to WAG's SoC (*ibid.*).

⁴⁵² CD5.13.

302.5. Dr Massey has assessed the impact of the Appeal Scheme on RHS Wisley.⁴⁵⁴ His conclusion (see para. 4.17 of his rebuttal) is that only a negligible level of harm would result; he said there would be “*very, very, limited*” impact in heritage terms⁴⁵⁵. He confirmed in re-examination that the evidence provided by Mr Davies in relation to Battleston Hill⁴⁵⁶ did not change his conclusion.

302.6. It was not suggested to Dr Massey that any of the above assessments were incorrect.

302.7. WAG has not produced any heritage impact assessment of its own in respect of RHS Wisley (nor has any party save for Dr Massey).

303. There is no evidence before the Inquiry that the Appeal Scheme would cause any material heritage harm to this heritage asset.

3.9.6. Conclusions on heritage impact

304. Dr Massey is correct to conclude that the Appeal Scheme would result in only less than substantial harm to Yarne, Upton Farmhouse, Appstree Farmhouse and Ockham Conservation Area (and would not harm any other designated heritage asset). We return below to the influence of that harm upon the overall planning balance (see Main Issue 12).

3.10. Whether the proposals would give rise to an unacceptable air quality impact on local receptors (human and wildlife)

3.10.1 Introduction

305. Main Issue 10 arises from GBC’s RfR10 which alleged that it had not been demonstrated that the development would not give rise to unacceptable air quality impacts on local receptors - human and ecological.

306. It should be noted that:

306.1. GBC does not offer any evidence to support this RfR, as it is no longer disputed⁴⁵⁷. This position is a considered one based on having taken specialist advice, on more than one occasion, from AECOM on air quality issues. GBC thus accepts⁴⁵⁸ that “*it has been demonstrated that the Proposed Development will have satisfactory air quality impacts.*” GBC, as local planning authority, thus does not suggest that planning permission should be withheld on the basis of air quality issues.

⁴⁵³ SoC (CD1.6) at para. 6.9.1.

⁴⁵⁴ Proof, paras. 3.15, 3.17, 3.19, 3.20; rebuttal, para. 4.17.

⁴⁵⁵ Para. 54(b) of WAG;s closing is just wrong.

⁴⁵⁶ Proof of Mr Davies, paras. 5.35, 5.40 and 9.25.

⁴⁵⁷ See GBC’s SoC (C1.6) and Mr Sherman’s proof at para 2.27.

⁴⁵⁸ See the SoCG, CD12.3 p 30.

306.2. In so far as the air quality issues give rise to possible ecological impacts NE raises no objection to the Appeal Scheme, having given lengthy, careful and detailed consideration to all the ecological issues, including the air quality issues (see further below).

306.3. Thus it is only some of the rule 6 parties, most notably RPC and WAG, who continue to raise air quality issues⁴⁵⁹.

3.10.2. The assessments undertaken and the expert reviews of these undertaken on behalf of GBC by AECOM

307. The air quality assessments undertaken on behalf of the Appellant in 2014 and 2015 were undertaken by WSP; and the evidence given to this inquiry was by Dr Tuckett-Jones who is head of air quality in the environmental group of WSP.

308. The original ES submitted with the planning application in December 2014 contained chapters covering air quality and a separate chapter on ecology which looked at possible air quality impacts on human or ecological receptors. The ES was subject to a scoping process with GBC and SCC as well as other relevant bodies including NE (see below).

309. GBC commissioned external expert consultants, Nicholas Pearson Associates, to review the ES⁴⁶⁰ and that review extended to the air quality and ecology chapters. GBC were though also advised to seek specialist advice on the technical adequacy of the air quality assessment and the application of relevant standards and guidelines⁴⁶¹.

310. As a result of this review in December 2015 Appellant submitted an Addendum ES. This contained fully substituted new chapters on air quality and ecology⁴⁶² and further traffic modelling which was assessed in those chapters⁴⁶³ along with a number of new appendices including *inter alia*: a summary of the traffic data used in the air quality assessment⁴⁶⁴; model verification⁴⁶⁵; air quality figures⁴⁶⁶; a lengthy and detailed report entitled "Information for Habitats Regulations Assessment" (Final Report, November 2015) - chapter 9 of

⁴⁵⁹ Indeed it should also be noted that the RSPB, who have continued to object to the Appeal Scheme, raise issues focused on recreational impacts and not air quality impacts.

⁴⁶⁰ CD14.1.16

⁴⁶¹ CD14.1.16 para. 2.27.

⁴⁶² CD14.1.1. para 1.26.

⁴⁶³ *ibid* para 1.2.3.

⁴⁶⁴ App. 6.3; CD14.1.34.

⁴⁶⁵ App. 6.7; CD14.1.38.

⁴⁶⁶ App. 6.10; 14.1.41.

which considered air quality⁴⁶⁷; an SSSI Air Quality Report⁴⁶⁸ and an Air Quality technical note providing an updated summary of air quality impacts following the updated air quality modelling completed in 2015⁴⁶⁹

311. The Addendum ES was again subject to review by Nicholas Pearson Associates. Moreover, GBC accepted the previous advice from Nicholas Pearson Associates that it should commission specialist advice on air quality and AECOM were instructed. AECOM's first review (CD5.18) took place shortly before GBC refused planning permission for the Appeal Scheme. AECOM sought some "additional information and clarification" albeit that it stated as an overall conclusion was that "AECOM agrees with the conclusions of the Appellant's Environmental Statement Volume 1 and Report to Inform an HRA, that the scheme is not likely to lead to a significant air quality effect on either the Thames Basin Heaths SPA or Ockham and Wisley SSSI during construction, or during operation, with regard to nitrogen deposition or NOx concentrations" and it also concluded "AECOM agrees with the conclusions of the air quality assessment on the effect of the scheme on human health". Regrettably the Appellant was given no chance to respond to AECOM's request for additional information and clarification prior to planning permission being refused. However, following the refusal of permission WSP, on behalf of the Appellant, submitted further information in response to the AECOM review. The submission (CD13.69) consisted of a letter and attachments running to 189 pages; it was a very substantial submission of further information⁴⁷⁰. This information was then reviewed by AECOM. The position reached is recorded in GBC's SoC as follows:

"6.10.2 ... Following the refusal of the application the appellants submitted further information in respect of this issue (WSP/Parsons Brinkerhoff - Air Quality Submission of Further Information, 13th June 2016) and this was also subject to independent review. This further assessment (AECOM, 8th August 2016) advises that, subject to minor clarifications, the concerns previously raised have been resolved.

6.10.3 In light of the independent expert advised commissioned by the Council, it is now the Councils position that air quality is not a determining issue in this appeal and that any impacts can be avoided or mitigated by suitable conditions or obligations secured through a legal agreement ..."

312. WSP responded to the remaining "minor clarifications" sought by AECOM in a letter dated 3 August 2017 (CD13.85) and these matters are also considered in detail in the proof of Dr Tuckett-Jones. The 3 August 2017 letter contained a number of further sensitivity tests of air quality; and one of these was also included in Dr Tuckett-Jones's proof: see further below. GBC have confirmed (in cross-examination of Mr Sherman) that they regard air quality issues in respect of the Appeal Scheme as "resolved".

⁴⁶⁷ App. 8.13; CD14.1.55

⁴⁶⁸ App. 8.15; CD14.1.57

⁴⁶⁹ App. 8.20; CD14.1.62 (17 December 2015).

⁴⁷⁰ RfR10 states that "[f]urther verification should be provided using site specific measurement data collected". This is a reference to the 2014 monitoring undertaken by WSP on behalf of the Appellant and is considered further below. The advice of AECOM was though in fact that (CD5.18, final page) that what was required was "Further information on, or updated verification using, the 3 months of site specific measurement data collected" (emphasis added). The June 2016 WSP letter provided the former and AECOM was satisfied. Professor Laxen accepted in XX that this was the position.

313. The individuals at AECOM who reviewed, and ultimately approved, the Appellant's air quality work were highly expert and included not only two air quality specialists but also ecology specialists including Dr James Riley (CEnv MCIEEM): see CD5.18 and the answers of Professor Laxen in cross-examination.
314. Thus, the position of GBC, as local planning authority, is that air quality is no longer a disputed matter and in so determining GBC have had access to, and relied on, independent expert advice from AECOM on a number of occasions. AECOM have fully reviewed the air quality assessments undertaken by WSP on more than one occasion and the view now taken is that the work done on this issue is acceptable and allows it to be concluded that there is no adverse air quality impact which would justify refusal of planning permission.
315. It should also be noted that in relation to the eGBLP GBC commissioned from AECOM a "Habitats Regulations Assessment for Guildford Borough Proposed Submission Local Plan: Strategy and Sites 2017 Update" and an "Air Quality Review of Guildford Borough Proposed Submission Local Plan: Strategy and Sites 'June 2017'"⁴⁷¹. These assessments take into account both the Wisley allocation (Policy A35) and Burnt Common slips. The conclusion on air quality⁴⁷² is that "*the effect of the Draft Local Plan on annual mean NO₂ concentrations will be negligible and not a key constraint on development ...*" and it is also concluded⁴⁷³ that there will be no LSE on any ecological receptors from air quality as a result of the eGBLP.
316. As already noted air quality issues have been further considered in detail in the proof and rebuttal of Dr Tuckett-Jones; and the possible ecological impacts considered in the lengthy and detailed evidence of Dr Brookbank⁴⁷⁴. WSP's letter of 3 August 2017 and Dr Tuckett-Jones's evidence contain a number of sensitivity tests going beyond the Addendum ES. The sensitivity test involved what Professor Laxen calls "*completely new air quality modelling*" (see his supplementary proof at para. 2.8).
317. A further sensitivity test is included in Transport Technical Note 1⁴⁷⁵ on the basis of updated traffic data, the May 2017 traffic data. Professor Laxen in his supplementary proof refers to this as a "*new assessment of the impacts*" (see para 3.1). How one labels it is not really important. What is important is the following:
- 317.1. It contains new modelling, which Professor Laxen accepted in cross-examination was "*better modelling*" and which he confirmed he raised no issues with in terms of either the modelling itself or its verification⁴⁷⁶ and adjustment;

⁴⁷¹ CD8.48 and 8.49.

⁴⁷² P.19.

⁴⁷³ CD8.48

⁴⁷⁴ The inference in WAG's closing (see para. 66) that Dr Brookbank lacks specialism in air quality issues as they affect ecology is unfounded; and was not put to her. He did not XX her on the noise and other issues that she said would affect birds.

⁴⁷⁵ See ID4 section 7 and App 10.1-3.

- 317.2. That modelling was verified as against a full 12 months of monitoring at multiple locations⁴⁷⁷. Importantly, Professor Laxen made no criticisms at all of this monitoring and accepted in cross-examination that it could be relied on and that accordingly WAG's additional monitoring data presented in his evidence which was undertaken for only 3 months and on the basis of a far more limited number of locations could be ignored;⁴⁷⁸
- 317.3. The modelling used the latest available traffic data, the May 2017 traffic data⁴⁷⁹ - and in respect of which data Professor Laxen raised only minor points⁴⁸⁰ - which points have been fully answered (see above);
- 317.4. The modelling used the CURED methodology, developed by Professor Laxen's company. Professor Laxen accepted in cross-examination that it was appropriate to be used and that it is a methodology that is more conservative than DEFRA emission factors (see further below on this);
- 317.5. The only criticism made by Professor Laxen in his supplementary proof of the sensitivity test employed in Transport Technical Note 1 is that (ID4, see para 3.1) while the Addendum ES assessed the year 2031, using 2019 emissions "*which was clearly designed to be conservative*" the new approach assessed 2031 using the CURED model, which while appropriate in itself required in addition an assessment of an interim year. But as Professor Laxen accepted in cross-examination the 3 August 2017 letter from WSP that was sent to GBC employed three sensitivity tests, and thus goes beyond her proof. Only the third uses the CURED model. The other two sensitivity tests used 2019 emissions, an approach which Professor Laxen accepts does not require assessment of an interim year. Regrettably despite this letter being referred to in Dr Tuckett-Jones's proof (provided in early August 2017) when he gave his oral evidence Professor Laxen had not read this letter because he had wrongly "*assumed it was just a covering letter*"; the letter is in the CDs. It is also regrettable that this point about the need for an interim year assessment was made for the first time in Professor Laxen's supplementary proof. That document was allowed in to respond to Transport Technical Note 1⁴⁸¹; but this point is in fact seeking to rebut evidence in Dr Tuckett-Jones's proof provided in early August 2017. As he explained in cross-examination, Professor Laxen failed to provide a rebuttal in accordance with the bespoke timetable

⁴⁷⁶ In his oral evidence Professor Laxen said that Transport Technical Note 1 "*does meet many of my concerns* , that he "*doesn't make any complaint about verification*" and that it is "*largely correct in terms of modelling*". On the traffic data use in the Note he said there were far less what he has called "*anomalies*". In relation to the latter point there are in fact no anomalies: see below.

⁴⁷⁷ Dr Tuckett-Jones explained that the verification undertaken with this data, and which Professor Laxen accepted was appropriate, produced a verification factor of 1.2, very close to the 1.13 verification factor derived from the ES verification process. The analysis did not stop there as because geographic patterns emerged the area was split into regions and south of the M25 (within the SPA) the verification factor went down to 0.87; meaning the modelling is over predicting results. Professor Laxen in XX accepted that the monitoring the Appellant had done was "*quite comprehensive*".

⁴⁷⁸ The Appellant's monitoring is in any event entirely consistent with this WAG monitoring.

⁴⁷⁹ Dr Tuckett-Jones in her EinC explained why she had not used this data in her proof namely: (i) her proof was responding to the minor clarifications raised by AECOM on the ES and so used the ES traffic data for consistency; and (ii) in her discussions with Mr McKay it was concluded that the impact of the new traffic data would be negligible in the context of the assessment conclusions.

⁴⁸⁰ He accepted in XX that his key issues on transport data was with the Addendum ES not the May 2017 data.

⁴⁸¹ ID4.

because of his holiday commitments. It is quite wrong for him to have used the supplementary proof to make a late rebuttal. In any event the point he raises is a bad one, which he would have realised had he read the 3 August 2017 letter. This disposes of Professor Laxen's one written criticism of the assessment in Transport Technical Note 1⁴⁸²;

317.6. In his oral evidence Professor Laxen sought to add further criticisms not made in his supplementary proof. These were:

317.6.1. Transport Technical Note 1⁴⁸³ contains no updated baseline. This was dealt with in Dr Tuckett-Jones's evidence-in-chief. She explained that because the focus of the HE submission was the impact on Burnt Common slips no modelled baseline concentrations were provided but she confirmed that the modelled concentrations were below air quality objectives;

317.6.2. Transport Technical Note 1⁴⁸⁴ contains modelling only for NO_x and not for ND or PM₁₀; again Dr Tuckett-Jones dealt with this in her evidence-in-chief with effectively no challenge in cross-examination:

317.6.2.1. PM₁₀: this is irrelevant to the SPA, and no issues are raised by Professor Laxen concerning PM₁₀ on human health. This is a complete red herring;

317.6.2.2. ND: Professor Laxen accepted in cross-examination that the 1% critical level scheme contribution contours for NO_x would extend further into the SPA than for ND (and this was also accepted in cross-examination by Mr Baker). Therefore, the modelling of NO_x can be seen as looking at the worst-case position; Dr Tuckett-Jones's oral evidence was that impacts on ND are approximately an order of magnitude lower than for NO_x such as not to necessitate separate consideration beyond NO_x.⁴⁸⁵ What this modelling shows in respect of impact on the SPA is considered below.

In cross-examination and in re-examination Dr Tuckett-Jones emphasised that there was nothing missing from the air quality assessments taken in their totality and these allowed the Secretary of State to comfortably conclude that there would be no adverse air quality impacts.

318. In terms of the assessments undertaken of air quality impacts by the Appellant it is necessary to deal briefly with Burnt Common slips. The assessments undertaken in the ES and Addendum ES did not consider Burnt Common slips as these were not at that time proposed as mitigation. This matter has though been carefully

⁴⁸² *Ibid*

⁴⁸³ *Ibid*.

⁴⁸⁴ *Ibid*.

⁴⁸⁵ ND has been considered within the context of the NO_x modelling information.

considered⁴⁸⁶ and the overall finding is again that the conclusions on air quality presented in the Addendum ES and in the updated further sensitivity testing are robust and that this applies whether or not Burnt Common slips are operational (*ibid*, paras. 7.2 and 7.9). Moreover, the ecology assessments in terms of air quality are also unaffected. In cross-examination Professor Laxen and Mr Baker, for WAG, accepted that their case on air quality impacts was in no way dependent on what happens with Burnt Common slips.

3.10.3 Traffic data issues

319. At the eleventh hour WAG have sought to raise issues concerning the traffic data relied on in the air quality assessments: see Professor Laxen's supplementary proof and also ID34. These have been comprehensively responded to in Transport Technical Note 2⁴⁸⁷. The errors identified in the ES traffic data (see Professor Laxen's supplementary proof at Table 1) were transcription errors the effect of which is explained in Transport Technical Note 2:

“3.3 This has, however, no significant impact on the outcome of the AQ assessment.

3.4 The explanation for the lack of sensitivity in the air quality model results is that the same method for inputting traffic data and emissions into the AQ model was used for the ES Baseline, and future year Do Minimum/No Development (ScA) and With Development (ScC) air quality model scenarios for the ES. As such, the slight underestimation of emissions at the junction in all scenarios was adjusted for by a slight overestimation in the model verification factors.

3.5 The AQ modelling based on the May 2017 traffic data did not revisit the model verification since the 2013 baseline traffic datasets were not amended. The decrease in model verification factors therefore results in an overall decrease in the predicted concentrations that is negligible in magnitude”.

320. Dr Tuckett-Jones addressed this matter further in her evidence-in-chief and was not cross-examined at all on such matters⁴⁸⁸. The Appellant's explanation of why these transcription errors are immaterial (Dr Tuckett-Jones in her evidence-in-chief described them as “*insignificant*”⁴⁸⁹) was thus not the subject of challenge in cross-examination of the relevant witness. The other errors alleged by Professor Laxen (supplementary proof Tables 2 – 4) in terms of the traffic data are not errors at all for the reasons explained in Transport Technical Note 2⁴⁹⁰ and at length in the oral evidence of Mr McKay and Dr Tuckett-Jones. They result from factoring up peak flows to AADT using different factors.

3.10.4. Criticisms of the air quality assessment in the Addendum ES

⁴⁸⁶ See Transport Technical Note 1; ID4.

⁴⁸⁷ ID72.

⁴⁸⁸ Mr Harwood QC tried instead to cross-examine Mr McKay on these points but he was asking the wrong witness; he missed his chance. The transcription errors are in the air quality chapter of the Addendum ES – there is no error in this regard in the traffic data in the transport assessment.

⁴⁸⁹ She explained that while the number of cars on the links mis-transcribed went up the percentage of HGVs went down significantly – the resulting under-prediction being 1 or 2% at most.

⁴⁹⁰ ID72.

321. Professor Laxen's supplementary proof seeks to argue that the Addendum ES "*should be withdrawn*" because of issues he raises with the traffic data (dealt with above) and also "*other limitations of the air quality modelling for the ES identified by Dr Tuckett-Jones in her proof of evidence*". The fact is though that Dr Tuckett-Jones's professional opinion is that having carried out a number of sensitivity tests and further modelling the findings of the air quality assessment have been supported; the conclusions reached "*hold good*". The Addendum ES thus remains a document on which reliance can be placed, albeit that in any event there is now further modelling⁴⁹¹ and further assessment of air quality impacts in Dr Tuckett-Jones's proof and Transport Technical Note 1 (ID4).
322. Moreover, it is necessary albeit briefly to consider the criticisms made of the Addendum ES by Professor Laxen. He had the Addendum ES available to him for a year and 9 months prior to the submission of his proof and the only criticisms made are those he sets out in section 3 as having already been made by him in a report dated March 2016 (CD13.70).
323. These points are responded to fully in the proof of Dr Tuckett-Jones at para. 7.8ff:
- 323.1. **Failure to consult Elmbridge BC given possible impacts on the Cobham AQMA:** Elmbridge BC were consulted on EIA scoping and consulted on the planning application⁴⁹². They objected to the Appeal Scheme but not on air quality grounds⁴⁹³. Moreover, the May 2017 traffic data shows within Cobham either very small increases in traffic or decreases in traffic⁴⁹⁴. Professor Laxen accepted all these points in cross-examination;
- 323.2. **The Addendum ES reports monitoring carried out in 2014 but made no use of the results in verifying the air quality modelling:** This is a historic complaint of little relevance given the modelling in Dr Tuckett-Jones's proof and Transport Technical Note 1 (ID4), which Professor Laxen accepts was appropriately verified using 12 months monitoring data. Briefly though, the Addendum ES did report the 3-month monitoring undertaken in 2014⁴⁹⁵. This was rejected for use in verification though because it was only 3 months of data and mainly from kerbside sites (at the grade separated Junction 10) or background locations distant from major roads. The rejection of the use of that data for verification is supported by DEFRA guidance⁴⁹⁶. This was an issue raised by AECOM on behalf of GBC but having reviewed WSP's letters of June 2016 and 3 August 2017⁴⁹⁷ AECOM accepted it was appropriate to have

⁴⁹¹ Referred to by Professor Laxen in XX as "*better modelling*".

⁴⁹² See Dr Tuckett-Jones's proof at para. 7.10.

⁴⁹³ See OR, CD6.1, para 7.28.

⁴⁹⁴ See App. O to Mr McKay's proof Scenario C3 vehicle flows AM and PM.

⁴⁹⁵ See the Addendum ES, CD14.1.6, paras. 6.6.8 and 6.9.

⁴⁹⁶ LAQM.TG(16) guidance, CD13.83, paras. 7.526 and 7.519: see Dr Tuckett-Jones's proof at paras. 3.9 and 4.46 and also the 3 August 2017 letter from WSP to AECOM (CD13.85).

⁴⁹⁷ CD13.85.

rejected the use of this data for verification purposes. The dispersion modelling in the Addendum ES was instead verified against the single, long established, GBC monitoring location⁴⁹⁸;

323.3. **Absence of detail on traffic data:** the then relevant traffic data and the resulting emissions factors used in the modelling were appended to the Addendum ES (CD14.1.34). Professor Laxen accepted in cross-examination that despite raising this issue about the absence of data in his March 2016 report at no point prior to the start of the inquiry did Professor Laxen ever make any request for further information on traffic data. This is significant given he was instructed in January 2016. Moreover, at no stage did GBC or SCC seek further traffic data. Moreover, as set out above the traffic modelling using SINTRAM was fully locally validated and approved by SCC as highway authority. Finally, the traffic data issues raised in Professor Laxen's supplementary proof have been dealt with above;

323.4. **Traffic data incorrect as HGV flows used not HDVs and so buses were excluded:** this point is fully answered in Dr Tuckett-Jones's proof at para. 7.21; and Professor Laxen readily accepted in cross-examination that any inconsistencies resulting from this would be "*small*" and hence inconsequential.

323.5. **Model not appropriately verified and adjusted:** There are a number of points to be made here:

323.5.1. Professor Laxen accepted that the issues raised here were superseded by the fact that he accepted that the further modelling in Dr Tuckett-Jones's proof and Transport Technical Note 1 (ID4) was properly verified and adjusted and that he had no criticisms to make of the further modelling⁴⁹⁹ nor its verification and adjustment.

323.5.2. In terms of the modelling in the Addendum ES:

323.5.2.1. the impacts of the development were considered for the Addendum ES in a dispersion modelling exercise using the ADMS-Roads model. This is "*an industry standard model, widely used in the UK for modelling the impacts of new developments*"⁵⁰⁰;

323.5.2.2. the modelling was undertaken in accordance with the guidance set out in Defra's technical guidance⁵⁰¹ and the DMRB⁵⁰²;

323.5.2.3. the only complaint made in Professor Laxen's proof about the modelling in the Addendum ES is in terms of its verification and adjustment. This criticism is focused on the non-use of the 2014 monitoring data and this is addressed above;

323.5.2.4. Moreover, what Professor Laxen's March 2016 report and proof wholly fail to mention is that in terms of modelling one of the key inputs is the future projection of vehicle emissions and in this regard the modelling undertaken for the

⁴⁹⁸ GD5, Figure AQ.1: see Dr Tuckett-Jones's proof at para. 4.24. She further explained these matters at length in her EinC.

⁴⁹⁹ Which he somewhat begrudgingly referred to as "*better modelling*".

⁵⁰⁰ See Dr Tuckett-Jones's proof at para. 4.16.

⁵⁰¹ LAQM.TG(16)) (CD Ref. 13.83).

⁵⁰² HA207/07 Air Quality) (CD Ref. 13.42); and see Dr Tuckett-Jones's proof at para. 4.22.

Addendum ES assumed that vehicle emissions do not improve in line with national forecasts but that emissions (per vehicle) and background pollutant concentrations in 2031 (the year of full development opening) will be no better than forecast for 2019⁵⁰³. The modelling in the Addendum ES did not use DEFRA emissions factors or any alternative approach such as the subsequently developed CURED model⁵⁰⁴ – these would have produced lower results in terms of impacts. As Professor Laxen has belatedly acknowledged ⁵⁰⁵ this was an approach that “*was clearly intended designed to be conservative*” – so conservative in fact that Professor Laxen accepts that use of the 2019 emissions obviates the need to assess any interim year⁵⁰⁶;

323.5.2.5. Moreover, as regards the modelling and verification issues raised by WAG on the Addendum ES:

323.5.2.5.1. Professor Laxen accepted in cross-examination that neither he, nor WAG nor any other rule 6 party has undertaken any modelling of air quality at all;

323.5.2.5.2. in opening it was said on behalf of WAG that “[t]here will be some debate about the particular modelling” (see para. 6);

323.5.2.5.3. the inputs into a model and the extent of the work required in terms of its verification and adjustment are matters of professional judgement on which views may differ. That is to say two experts may reasonably differ on these subjects without either being wrong. This was agreed by Professor Laxen in cross-examination;

323.5.2.5.4. Dr Tuckett-Jones and the experts at AECOM who reviewed the Addendum ES are satisfied that the modelling in the Addendum ES can be relied on, Professor Laxen disagrees. In any event the criticisms made by Professor Laxen in these respects do not extend to the further modelling in Dr Tuckett-Jones’s proof and Transport Technical Note 1 (ID4).

323.6. **Acid deposition was not considered:** acid deposition is considered at length in WSP’s June 2016 letter to GBC (CD13.69) and it is also considered in Dr Tuckett-Jones’s proof. Professor Laxen accepted in cross-examination that this was a historic criticism of the Addendum ES and had fallen away. In his proof Professor Laxen argues that the impacts of the scheme in terms of acid deposition cannot be

⁵⁰³ See Dr Tuckett-Jones’s proof at para. 4.24.

⁵⁰⁴ See Dr Tuckett-Jones’s EinC referring to CD 13.86, fig. 33 p 45.

⁵⁰⁵ In his supplementary proof at para 3.1 and in XX.

⁵⁰⁶ See Professor Laxen’s supplementary proof at para 3.1 and his responses in XX.

ignored as they are greater than 1%. If one examines the detailed information provided on acid deposition in the WSP June 2016 letter⁵⁰⁷ it will be seen that the process contribution of the Appeal Scheme exceeds 1% at two kerbside locations 2_DT_0 and 5_DT_0 only; and at one non-kerbside location 5_1_5. That location though is only 5m from the kerb and is in a non-SPA location⁵⁰⁸. Moreover, the exceedance of 1% is marginal at its highest 1.2%. Likely significant effects from acid deposition were screened out⁵⁰⁹ and it is telling that, despite acid deposition having the potential to affect ecological receptors, Mr Baker's proof in considering ecology impacts makes no mention at all of acid deposition, as he agreed in cross-examination.

324. As noted above the Appellant's air quality assessment in the Addendum ES was the subject of expert review by AECOM on more than one occasion; and was ultimately accepted by GBC.

3.10.5. The case against the Appeal Scheme on air quality grounds

325. A number of rule 6 parties have raised air quality issues. However, it is only WAG who have called expert witnesses on these issues. And in arguing that the appeal should be refused on air quality grounds Professor Laxen and Mr Baker disagree with the views of the following persons and bodies and must be of the view that all these other views are not just wrong, but grossly wrong:

325.1. GBC, as local planning authority;

325.2. AECOM, GBC's expert advisers on air quality both in the context of this appeal and the eGBLP;

325.3. Natural England;

325.4. Dr Tuckett-Jones and Dr Brookbank who have provided to this inquiry detailed and lengthy assessments of air quality impacts.

326. Professor Laxen and Mr Baker wrote reports in March 2016 in response to the planning application raising the very same issues raised in their proofs. Those reports ultimately failed to persuade any of the above persons and bodies that the Appellant's air quality assessment was in any way flawed and/or that there is any good reason now to withhold permission on air quality grounds.

327. WAG raise no issue on air quality impacts from the construction phase⁵¹⁰. The focus is on operational impacts only and is exclusively focused on additional emissions from motor vehicles associated with the Appeal Scheme⁵¹¹.

⁵⁰⁷ CD13.69, App. B, Scenario C (DS2) vs. Scenario A(DM)).

⁵⁰⁸ See CD14.1.41, fig 6.3.

⁵⁰⁹ See Dr Brookbank's proof.

⁵¹⁰ See Professor Laxen's proof at para 2.2.

3.10.6 Human receptors - Ripley

328. In terms of human health, the position is as follows.

- 328.1. First, as Professor Laxen agreed in cross-examination, the only relevant location raised in terms of human health impacts is in Ripley⁵¹².
- 328.2. Second, the only issue that is raised is NO₂. Professor Laxen further agreed that the relevant objective here is the 40 µg / m³ as an annual mean, and not the hourly mean. No issue is raised with PM10.
- 328.3. Third, the assessments undertaken by the Appellant in the Addendum ES conclude no likely adverse effects on human receptors. And that conclusion is specifically endorsed by AECOM (CD5.18).
- 328.4. Fourth, based on GBC's own monitoring data there are no breaches of the annual mean NO₂ objective in Ripley: see Dr Tuckett-Jones's proof at para 3.6 and Table AQ4 and see also the Transport Technical Note 1 (ID4) at App. 10.4, Table A.10.4.1. There is no designated AQMA in Ripley.
- 328.5. Fifth, RPC have produced their own monitoring data for Ripley and Professor Laxen's proof seeks to make use of this to suggest that there are currently exceedances of the NO₂ annual mean objective in Ripley. This is not accepted for these reasons:
 - 328.5.1. There are serious concerns with the data collected and what appears to be missing data: see Dr Tuckett-Jones's rebuttal at paras. 2.4 – 2.6;
 - 328.5.2. The data collected is only 4 months data and therefore requires annualisation, something that involves inherent uncertainty (see Professor Laxen's proof at para. 4.2);
 - 328.5.3. Moreover, the annualisation used is unusual (see Dr Tuckett-Jones's rebuttal at paras. 2.9 – 2.15) and on the high side. No explanation of this is provided in the TRL report, in RPC's evidence or in the evidence of Professor Laxen. The bias adjustment is also unusual (*ibid*) and again no explanation of this has been provided. This is key because it is the annualisation and bias adjustment, not the monitoring results themselves, that is driving the alleged exceedances of the NO₂ annual mean objective in the TRL report;
 - 328.5.4. Notwithstanding incorrect annualisation and questionable bias adjustment, the annual mean objective only applies at locations with relevant exposure. Locations with relevant exposure are identified by DEFRA (CD 13.83), and include building façades of residential properties, schools, hospitals and care homes. With the exception of tube 7, all the tubes were located at kerbside with at least 2 metres distance between the kerb and nearest building façade. According to TRL, tube 7 was on a lamppost at 8 Newark Lane. However, this cannot be so as

⁵¹¹ *Ibid* para. 2.2

⁵¹² Some third parties sought to raise issues about the air quality impacts within the Appeal Site including on the proposed sports pitches in the north-west of the site. This was dealt with by Dr Tuckett-Jones in her oral evidence. There is in short no possible impact here; and Professor Laxen did not suggest any such impacts.

there was/is no lamppost at 8 Newark Lane. The nearest lamppost is some 25 metres to the east, next to the façade of Wills & Smerdon Estate Agents facing Newark Lane where the annual mean objective does not apply. For tubes that are not located at relevant building façades, it is necessary to extrapolate the annual mean concentrations that are indicated for the TRL sites. Dr Tuckett-Jones investigated this using the 'NO₂ Fall-Off with Distance Calculator (Version 4.1)', made available by DEFRA and originally created by Air Quality Consultants Ltd. Her calculations are provided in Appendix B of her rebuttal. With extrapolation, the indicated annual mean concentrations are clearly well below the objective of 40µg/m³ at nearest façades with the exception of tube 7 at Wills & Smerdon Estate Agents where the extrapolated annual mean concentration is 52.4µg/m³. But that is not a relevant exposure point: see Dr Tuckett-Jones's rebuttal at paras. 2.13 – 2.15.

328.6. Sixth, the modelling in Transport Technical Note 1 (ID4) shows that in 2031 there will also be no exceedances of the NO₂ objective in Ripley: see App10.4, Table A.10.4.2. Indeed the modelling shows substantial falls in the annual mean compared to the present position. This is based on the May 2017 traffic data and has been appropriately verified and adjusted. Professor Laxen's only criticism in this regard is the absence of assessment in an interim year (see his supplementary proof at section 3). The fact is though that based on GBC's monitoring data there is no breach of objectives at the present time, and on the modelling there will be no breach in 2031. Thus as Dr Tuckett-Jones explained in her evidence-in-chief there is simply no basis for suggesting that the Appeal Scheme would in the period between now and 2031 would cause exceedances of the NO₂ annual mean where there are currently none albeit that it might cause the rate of improvement to slow if, but only if, the Appeal Scheme materially added to traffic in Ripley. She said:

"My judgment or professional opinion based on GBC monitoring that are no exceedance of air quality standards in Ripley at the moment and won't be in the future based on our results. I can't conceive of a situation in which concentrations between now and the future would increase in Ripley, we've got more reason than ever to believe that vehicle emissions will decrease even by time of opening of development, as such I fully expect concentrations to be below those now".⁵¹³

Dr Tuckett-Jones vigorously defended this view in cross-examination and reiterated in more detail the reasons why she had as a matter of professional judgment taken that view. The cross-examination failed to dislodge or affect this view in any way.

328.7. Seventh, the Appeal Scheme by way of mitigation will deliver or fund the delivery of Burnt Common slips one of the key purposes of which is to significantly reduce the amount of traffic in Ripley compared to the present. No evidence has been produced to suggest that this would not be the effect

⁵¹³ Note of Dr Tuckett-Jones's EinC.

of Burnt Common slips. Professor Laxen accepted that if Burnt Common slips were delivered, and had the predicted effect of reducing traffic in Ripley, this would be a benefit in air quality terms.

329. In conclusion for all these reasons the evidence does not support the view that there are current exceedances of the NO₂ annual mean objective nor that there would be in the future as a result of the Appeal Scheme. Dr Tuckett-Jones's evidence-in-chief was that none of the modelling indicates any risk to human health in the future with the Appeal Scheme in place⁵¹⁴.

3.10.7. Ecological receptors

3.10.7.1. Introduction

330. It is important to appreciate the confines of the debate.

331. In relation to the SPA issues have been raised by WAG about NO_x, nitrogen deposition ("ND") and acid deposition.

332. Acid deposition need not be considered further. As noted above Professor Laxen back in March 2016 in his report complained that the Addendum ES had failed to consider this but he accepted in cross-examination that it had been comprehensively addressed in WSP's June 2016 letter. Moreover, Mr Baker accepted in cross-examination that it formed no part of his evidence to allege any impact from acid deposition.

333. The issue raised by WAG thus focusses on impacts from NO_x and ND on the SPA; there is in this part of the Thames Basin Heaths no SAC⁵¹⁵. SACs are designated for their habitats (or more specifically their vegetation communities and rare flora) which are of nature conservation importance and are directly sensitive to air pollution. Whereas SPAs are designated for important populations of rare birds which are not directly sensitive to air pollution, unless levels are exceptionally high⁵¹⁶. Annex 1 bird habitat has the potential to be

⁵¹⁴ But if contrary to this analysis it was considered that there might be exceedances (which fact is not accepted) this would be a material consideration that weighed against the grant of permission but there is no legal requirement to refuse permission: see Professor Laxen's response in XX and the case of *R (Shirley) v SSCLG* [2017] EWHC 2306 (Admin) and see also CD13.81 at para. 4.17. One factor that would weigh on the opposite side of the balance is the adverse health impacts caused by lack of adequate housing in Guildford, something that the Appeal Scheme would make a significant contribution towards addressing (see above, and see Mr Collins's proof at paras. 14.8 and 14.11).

⁵¹⁵ See Professor Laxen's proof at para 4.5; which in XX he accepted was an error.

⁵¹⁶ As explained in Dr Brookbank's proof and in her EinC. Thus, she explained that while habitats for SACs and SPAs may have the same critical load class on APIS, SACs are designated directly for their rare habitats and plants, which are particularly reliant on low nutrient status. So even small changes in nitrogen levels can bring about changes in species diversity and composition, resulting in direct and significant effects on the qualifying features. In contrast birds are not directly sensitive to air pollution. To have a significant effect on the qualifying features of an SPA, the SPA birds, air pollution from a scheme needs to bring about a big enough change in the habitat so as to affect its ability to support the birds. Hence the potential for a significant effect is one step removed when compared to the impact pathway of an SAC. Depending on an SPA's site circumstances there is not always a viable impact pathway. And this is a view acknowledged by other ecologists see the DTA article by Honour and Flavell (ID81). SACs are more sensitive to air pollution. This is made clear in NE's Atmospheric

affected by air pollution, although it is not in itself the subject of nature conservation designation. In the case of assessing the potential for damage in SPAs, it is necessary to examine whether SPA bird habitat that may be sensitive to air pollution coincide with areas of air quality exceedance or may coincide in the future⁵¹⁷. The issue is whether there is a credible pollution pathway for what is undoubtedly a small magnitude impact arising from the Appeal Scheme to effect an ecologically significant change on bird habitats in the SPA when acting in-combination with other contributors. This would involve air quality change causing damage to the structure and function of the habitats of the birds⁵¹⁸.

334. The principal sources of pollution in the vicinity of the SPA are the A3 and M25⁵¹⁹.

335. The issue is whether the additional traffic that the development will put on the A3 and M25 will result in any harmful ecological effects on the SPA. Given the greater protection given to SPAs over and above SSSIs the focus will be on the former, as indeed it is in Mr Baker's evidence⁵²⁰.

336. The position Mr Baker takes is as follows. He says that within the SPA the critical level for NO_x and the critical loads for ND are already being exceeded. This is a fact which is accepted⁵²¹. He then says that where the critical level or loads are being exceeded harm to the SPA cannot be ruled out. Therefore, it is said, any additional traffic from development even a single vehicle on the A3⁵²² will result in adverse effect on the integrity of the SPA such that under EU law planning permission must be refused. Dr Brookbank correctly characterises Mr Baker's view thus:

“... because at present the SPA is already exceeding the CL, no other plans or projects can come forward that add nitrogen to the ecosystem in any way. Essentially therefore, no plans or projects adding traffic to the sections of the M25 and A3 around junction 10 can be consented, wherever these might occur nationally - including presumably Guildford Borough Council's entire Local Plan - without catastrophic effects on the integrity of the SPA.”

337. This utterly extreme view has no proper basis in terms of either ecology or law and the Secretary of State is invited to robustly reject it⁵²³. This is for a number of reasons that will now be explored.

nitrogen theme plan (CD 13.73, p. 7). Also the NE report “*Potential risk of impacts of nitrogen oxides from road traffic on designated nature conservation sites*” focuses entirely on SACs, not SPAs (CD 13.64). This is not to say that an SPA cannot be affected, it is just less likely to be.

⁵¹⁷ See Dr Brookbank's proof at para. 5.13.

⁵¹⁸ See the conservation objectives in ID33, and Mr Baker's responses in XX.

⁵¹⁹ Dr Tuckett-Jones's proof at para 3.12 and accepted by Professor Laxen in XX.

⁵²⁰ NE's view on impacts on the SSSI is clear, see the March 2016 letter in Dr Brookbank's proof App. 3 namely that the Appeal Scheme will not damage or destroy any SSSI interest features.

⁵²¹ See Dr Tuckett-Jones's proof at Table AQ6.

⁵²² A road which in the vicinity of the Appeal Site has daily flows in the order of 90,000 vehicles per day.

⁵²³ The approach of Mr Baker offends what was said by Advocate-General Sharpston in *Sweetman* and cited in para. 50 of the *Wealden* case (CD11.23) namely that “[t]he requirement that the effect in question be “significant” lays down a de minimis threshold. Plans or projects that have no appreciable effect on the site are thereby excluded. If all plans or projects capable of having any effect whatsoever on the site were to be caught by Article 6(1), activities on or near the site would risk being impossible by reason of legislative overkill.” It is also worth noting what Jay J. said in *Wealden* at para. 44 (vii) “a third party alleging that there was a risk that cannot be excluded on the basis of objective information must produce credible evidence that there was a real as opposed to hypothetical risk that must have been considered: *Boggis v. Natural England* [2009] EWCA Civ 1061 at paragraph 37”.

3.10.7.2. NE's view

338. NE is the appropriate nature conservation body under the Habitats Regulations and the Government's statutory adviser on nature conservation. Its views on ecological issues affecting European sites can and should be given great weight by planning decision-makers. A planning decision-maker must give cogent reasons for departing from NE on ecological issues: see e.g. the *Hart*⁵²⁴ and *Prideaux*⁵²⁵ cases, and endorsed by the Supreme Court in the *Morge* case⁵²⁶.
339. In this case NE has carried out a detailed, thorough and lengthy review of the Appeal Scheme including on air quality issues and has concluded that there is not likely to be any significant effect on the SPA from air quality. In cross-examination Mr Baker at first sought to say he had seen no evidence that NE had considered air quality issues at all. It is plain from his oral evidence, and his proof, that he gave no consideration at all to what was the position of NE, indeed he appeared to be wholly unaware of their engagement with and consideration of air quality issues up until when he was cross-examined on these points.
340. The extent of NE's involvement in considering air quality issues needs to be fully recorded:
- 340.1. in their EIA scoping opinion⁵²⁷, NE specifically advised that an air quality assessment be undertaken to establish likely impacts on the SPA⁵²⁸;
 - 340.2. NE reviewed several versions of the Information for HRA report and SSSI Air Quality report during the pre-application consultation process, including review by their High-Risk Case Panel. Table 3 provides a summary of this consultation feedback which included feedback on air quality issues⁵²⁹;
 - 340.3. During May and June 2015, NE reviewed the draft air quality assessments set out for the SPA and SSSI within the Information for HRA and SSSI Air Quality reports, and provided targeted feedback in their

⁵²⁴ CD11.4.

⁵²⁵ CD11.9 per Lindblom J. as he then was at para. 116 "As the committee was well aware, by the time FCC's proposals came before it for a decision, the effects of the development on ecological interests, including European Protected Species, had been discussed over a long period, both with the County Council's officers and with Natural England. It is clear that the committee gave considerable weight to the conclusions reached by Natural England. This is hardly surprising. It is exactly what one would expect. Natural England is the "appropriate nature conservation body" under the regulations. Its views on issues relating to nature conservation deserve great weight. An authority may sensibly rely on those views. It is not bound to agree with them, but it would need cogent reasons for departing from them (see, for example, the judgment of Sullivan J., as he then was, in *R. (Hart District Council) v Secretary of State for Communities and Local Government* [2008] EWHC 1204 (Admin); [2008] 2 P. & C.R. 16, at para.49), and the judgment of Owen J. in *R. (Akester) v Department for the Environment, Food and Rural Affairs* [2010] Env. L.R. 33, at para.112)".

⁵²⁶ CD11.15 per Lady Hale at para. 45 "...it is the function of Natural England to enforce the [Habitats] Directive ... The planning authority were entitled to draw the conclusion that, having been initially concerned but having withdrawn their objection, Natural England were content that the requirements of the Regulations, and thus the Directive, were being complied with. Indeed, it seems to me that, if any complaint were to be made on this score, it should have been addressed to Natural England rather than to the planning authority. They were the people with the expertise to assess the meaning of the updated bat survey and whether it did indeed meet the requirements of the Directive. The planning authority could perhaps have reached a different conclusion from Natural England but they were not required to make their own independent assessment".

⁵²⁷ CD5.2.

⁵²⁸ See Dr Brookbank's proof at para 5.1 and Mr Baker's responses in XX.

⁵²⁹ See Rows 1, 4 and 6 referring to responses and meetings with NE dealing with air quality issues; see Dr Brookbank's proof at para. 5.57, App. 6. and Mr Baker's responses in XX.

DAS response of the 24 March 2015. The air quality assessment was also discussed during a meeting on the 24 August 2015⁵³⁰.

341. Based on this comprehensive review work, NE has declared that they have no objection to the proposed development in relation to potential air quality impacts on the SPA SSSI, as set out in their statutory response to the planning application (February 2016)⁵³¹. Its views can, and should, be given significant weight. And, of course, this view is supported by AECOM who also reviewed the possible ecological impacts in its review of the Addendum ES. It is also the view of Dr Brookbank who has been involved in this matter since 2014 and has worked with a number of other senior ecologists at EPR⁵³² including Mr Andrew Cross, the senior botanist at EPR⁵³³.
342. Mr Baker's position must be, although he was very reluctant indeed to accept this, that all these persons and bodies are not just wrong but "*grossly wrong*" and that includes NE. He says that the Appellant's assessment of air quality impacts on ecological receptors is "*flawed*" and "*erroneous*"⁵³⁴ that the Appeal Scheme will increase pollution in the SPA where critical levels/loads are already exceeded and that therefore, without the need for any more detailed consideration at all, adverse effects on integrity will result (or at least cannot be ruled out) and that therefore granting planning permission would be a breach of EU law. One thing is certain. That is not NE's view. If it were then NE would be objecting. But after very careful and lengthy consideration of air quality issues they are not objecting. It has to be Mr Baker's position that they have got it "*grossly wrong*" and have been negligent in the exercise of their duties under the Habitats Regulations. It is also worth noting here that NE are not objecting to the eGBLP.
343. There are two further points to make on the position of NE.
344. First, at one point in cross-examination Mr Baker referred to the Talbot Village appeal decision in support of his position (see his proof at para. 5.5). This appeal was not concerned with air quality issues at all but concerned recreational impacts. Moreover, in that case where permission was refused on ecological grounds NE objected to the appeal scheme and appeared at the inquiry through counsel and called witnesses against the scheme. It is also noteworthy that Appropriate Assessment had been triggered. The position could not be more different here. Dr Brookbank in her evidence-in-chief explained the key differences but recognised that

⁵³⁰ See Dr Brookbank's proof at para. 5.58 and Mr Baker's responses in XX.

⁵³¹ See Dr Brookbank's proof at para. 5.39, App. 3 and Mr Baker's responses in XX.

⁵³² See Dr Brookbank's rebuttal at para. 3.15.

⁵³³ Confirmed and elaborated on in EinC. Thus Dr Brookbank explained that in addition to the surveys carried out by Andrew Cross she had visited the SPA on many occasions, including with EPRs senior ornithologist Dr Rob Souter in 2017 to assess the suitability of bird habitat.

⁵³⁴ See his proof at para. 2.5.

the appeal was relevant in that it establishes the importance of considering restoration potential but that is something considered in detail in her evidence (see further below).

345. Second, at one point in his cross-examination, on realising (for the first time it would seem) the extent of NE's consideration of air quality issues in this case Mr Baker sought to rely on the *Wealden* case⁵³⁵ to say that NE does not always get it right⁵³⁶. The *Wealden* case does not assist Mr Baker at all. This can be dealt with briefly⁵³⁷:

345.1. Judgment in the *Wealden* case was handed down on 20 March 2017 and NE's final position in respect of this appeal was determined shortly thereafter⁵³⁸, moreover at no time since then has NE sought to re-open its consideration as a result of the *Wealden* case and that is not surprising as there is no basis for doing so;

345.2. The *Wealden* case concerned the 1,000 AADT screening methodology set out in the DMRB. No use whatever has been made of that methodology in the Appellant's assessments of the ecological impacts⁵³⁹;

345.3. In the *Wealden* case the only assessment of air quality impacts undertaken was to look at whether the Joint Core Strategy would alone exceed the 1,000 AADT threshold on any road. There was no air quality monitoring or modelling done, and no use was made of the 1% methodology. There was no assessment of in-combination effects at all. The position in this case is completely different as explored further below. Importantly, Mr Baker accepted that it is no part of his evidence on this appeal to seek to rely on the *Wealden* case to challenge the use of the 1% rule in assessing air quality impact;

345.4. The *Wealden* case does not, and cannot overrule, what is said by other Courts, and endorsed by the Supreme Court in *Morge* namely that the views of NE must be given great weight on nature conservation issues. That is all the more so where, as here (and unlike in the *Wealden* case) there has been such careful and detailed consideration of air quality issues by NE;

345.5. Finally, it is worth noting what is said by AECOM on this matter in the HRA they have undertaken in respect of the eGBLP and which, of course, includes the Wisley draft allocation (CD8.48) at paras. 12.4.1 – 12.4.3⁵⁴⁰. What is said provides the strongest possible support for Dr Brookbank's analysis: see below.

⁵³⁵ CD11.23.

⁵³⁶ As Dr Brookbank noted in her EinC Mr Baker had given no consideration to NE's assessment.

⁵³⁷ See further Dr Brookbank's proof at paras. 5.89 – 5.116.

⁵³⁸ See App. 3 to Dr Brookbank's proof.

⁵³⁹ Confirmed by Dr Brookbank in her EinC.

⁵⁴⁰ "12.4.1 In early 2017, a Judicial Review brought by Wealden District Council against Lewes District Council and the South Downs National Park Authority with regard to the Ashdown Forest SPA concluded that in the judge's opinion it was not appropriate to use the '1,000 AADT' metric presented in the Design Manual for Roads and Bridges as the sole basis on which to conclude that a given Local Plan will not contribute materially to an 'in combination' air quality effect from changes in vehicle flows past a European site. As can be seen from Section 2.5 of this report, that particular

3.10.7.3. Why Mr Baker's extreme view must be rejected

346. There are a number of points to be made:

347. First, Mr Baker's entire analysis depends upon a seriously flawed understanding of critical loads and levels.

348. The correct position is set out in Dr Brookbank's proof and given its importance is worth setting out in full (emphasis on original):

"5.10 The common measure of environmental sensitivity to air quality change is the 'critical load' (also referred to within guidance as the 'environmental standard'). For gaseous pollutants the term 'critical level' is used. This is a quantitative estimate of exposure to one or more pollutants below which significant harmful effects on sensitive elements of the environment do not occur according to present knowledge (JNCC).

5.11 The critical load for nitrogen deposition on habitats has a range, with lower and upper critical load values provided to reflect variations in habitat responses under differing environmental conditions, such as precipitation level, height of the water table and intensity of habitat management, as well as geographical locations across Europe. Notwithstanding the precautionary use of lower critical load values in air quality assessment, APIS advises that upper critical loads should be used in systems with a high water table, high precipitation and where sod cutting has been practised (as opposed to lower intensity management). This is because these conditions result in more rapid removal of nitrogen from the system. APIS also advises on any uncertainties regarding the critical load values, since these are based on evidence mainly comprising observations from experiments that do not necessarily precisely predict habitat responses to pollutants in a natural system.

5.12 The exceedance of a critical load or level ('CL') is not a quantitative estimate of damage to the environment; it represents the potential for damage. More detailed air quality assessment is required to understand whether significant damage to a Designated Site is likely, and this assessment is informed by a number of factors such as the extent to which air quality within the Designated Site is already exceeding relevant CLs, the area of habitat within which exceedance of the CL is predicted to occur, whether there are qualifying features present within that exceedance area, and whether those qualifying features are sensitive to the air pollution pathways concerned."

349. Thus the position is that where NO_x/ND is below the critical level/load you can assume without any further consideration or analysis that there will be no harm to ecological receptors. But where the level/load is exceeded that does not mean that there will be damage, just that there is "*the potential for damage*" e.g. damage cannot automatically be ruled out without there being further analysis and consideration. Mr Baker's view is

metric (i.e. whether a change of more than 1,000 AADT will result from the Local Plan on any roads within 200m of the SPA) was not utilised in the 2016 Guildford Local Plan HRA. Rather, the analysis progressed immediately to undertaking air quality calculations, including consideration of 'in combination' air quality from all growth over the Local Plan period. As such, this judgment does not pose any directly relevant implications for the air quality assessment that was undertaken for the Guildford Local Plan in 2016.

12.4.2 Moreover, the conclusion no LSEs was based primarily on the following factors:

- No accompanying increase in nitrogen deposition or acid deposition;*
- A general lack of nesting habitat for SPA birds within the affected areas and the low likelihood that plantation clearing habitat would be negatively affected in any event; and*
- The fact that total 'in combination' NO_x concentrations by 2033, while in some cases still in excess of the Critical Level, are predicted to be well below the level at which effects on vascular plants (other than growth stimulation due to nitrogen deposition) are likely to arise.*

12.4.3 Indeed, examination of the air quality modelling in Appendix D shows that NO_x concentrations and nitrogen deposition rates within 200m of the Thames Basin Heaths SPA are expected to be better at the end of the plan period than they are at the moment, due to expected improvements in vehicle emissions from the introduction on Euro6 standard vehicles and Government initiatives to improve background air quality. That is the case despite the fact that a precautionary judgment was taken regarding those improvements, taking them into account for the first half of the Local Plan period but assuming no further improvement in emission factors or background air quality for the second half of the Local Plan period."

that exceedance of the level/load means that one basically has to assume there will be damage and that no assessment or analysis is necessary, or useful, to determine whether there will in fact be such damage because it is to be assumed. This is a view which Dr Brookbank rightly characterises as “*overly simplistic and pessimistic*”⁵⁴¹. Thus she notes that “*it does not take proper account of a multitude of other factors that can interact to influence whether impacts are likely to occur, in the context of an SPA’s conservation objectives, following Nitrogen addition in a given scenario and ecological system. Such factors include habitat type, existing suitability for SPA birds, existing nutrient nitrogen status, soil type, degree of nitrogen leaching, existing site management, and so on*”.⁵⁴² If anything Dr Brookbank is being somewhat kind in saying that Mr Baker’s view doesn’t take “*proper account*” of these matters, as it was clear from his responses in cross-examination that in fact he has taken no account at all of any of these matters.

350. Mr Baker’s view is directly contradicted not just by Dr Brookbank’s evidence but by many other sources, for example:

350.1. AECOM’s HRA of the eGBLP (CD8.48)⁵⁴³ (emphasis added):

“2.5.4 There are two measures of relevance regarding air quality impacts from vehicle exhausts. The first is the concentration of oxides of nitrogen (known as NO_x) in the atmosphere. In extreme cases NO_x can be directly toxic to vegetation but its main importance is as a source of nitrogen, which is then deposited on adjacent habitats either directly (known as dry deposition) or washed out in rainfall (known as wet deposition). The guideline atmospheric concentration advocated by Government for the protection of vegetation is 30 micrograms per cubic metre (µg_m-3), known as the Critical Level. This is driven primarily by the role of NO_x in nitrogen deposition. If the total NO_x concentration in a given area is below the critical level, it is very unlikely that nitrogen deposition will be an issue. If it is above the critical level then nitrogen deposition could be an issue and should be investigated.

2.5.5 The second important metric is a measure of the rate of the resulting nitrogen deposition. The addition of nitrogen is a form of fertilization, which can have a negative effect on heathland and other habitats over time by encouraging more competitive plant species that can force out the less competitive species that are more characteristic of such grassland. Unlike NO_x in atmosphere, the nitrogen deposition rate below which we are confident effects would not arise is different for each habitat. The rate (known as the Critical Load) is provided on the UK Air Pollution Information System website (www.apis.ac.uk) and is expressed as a quantity (kilograms) of nitrogen over a given area (hectare) per year (kgN_{ha}-1yr-1).”

350.2. NE’s supplementary advice on the SPA conservation objectives. This was a document that Mr Baker himself produced to the Inquiry, presumably to support his case. It says in terms on p. 2 of 21 that “*[e]xceeding critical values for air pollutants may result in changes to the chemical status of its habitats substrate*” (emphasis added)⁵⁴⁴. Mr Baker was forced to say he disagreed with this statement; his simplistic and demonstrably wrong view is that exceedance without more means there is harm. Moreover, the approach taken in the supplementary advice is to recognise that the target is to

⁵⁴¹ Dr Brookbank’s rebuttal at para. 3.4.

⁵⁴² *Ibid.*

⁵⁴³ See also Dr Brookbank’s rebuttal at para. 3.3.

⁵⁴⁴ See also Dr Brookbank’s EinC on this matter.

“[r]estore as necessary the concentrations and deposition of air pollutants to at or below the site-relevant Critical Load” (ibid). That is because it may not always be necessary to do so if for example the habitat in a particular part of the SPA is not sensitive to nitrogen or because despite exceedances there is otherwise no harm being caused. Indeed, the table notes that (p. 7) that *“the SPA is an extensive complex of geographically-separate component sites”* and the objectives may differ given this.

351. Mr Baker’s approach is also contradicted by the evidence thus:

351.1. Dr Brookbank’s rebuttal shows that despite the fact there are currently widespread exceedances of the NOx critical level (and ND critical loads) in the SPA bird territories are holding or increasing and thus the conservation objectives are being met: see Dr Brookbank’s rebuttal at para. 3.27;

351.2. Dr Brookbank’s proof at Map 11, shows that there are bird populations within areas of the SPA where the critical level for NOx is being exceeded. Although not shown on Map 11, there are also site-wide exceedances of the ND critical loads that are not deterring bird nesting;

351.3. Despite historic exceedances of the critical levels and loads the amount of heathland in the SPA is increasing as a result of habitat restoration and management efforts⁵⁴⁵.

352. In short the first step in Mr Baker’s analysis is flawed and his whole analysis therefore collapses. Where the critical level/load is exceeded what is required is a detailed analysis of whether this is causing harm, and whether adding pollutants would result in a LSE. We turn to this analysis next. Dr Brookbank’s evidence considers all the relevant factors influencing whether NOx or ND as a result of the Appeal Scheme is likely to cause significant effects. There is no counter-analysis to this in Mr Baker’s evidence. His simplistic view is that no such analysis is needed or indeed of any utility.

353. Second, Mr Baker’s view ignores the fact that there needs to be a pathway for what is undoubtedly a small magnitude impact arising from the Appeal Scheme to effect an ecologically significant change on bird habitats in the SPA either alone or in-combination. Without that there can be no LSE.

354. The DMRB (CD Ref. 13.42), which provides guidance on assessing (including scoping and screening) air quality impacts for road projects, states that *“only properties and Designated Sites within 200m of roads affected by the project [through increases in traffic flows] need be considered”*⁵⁴⁶. Mr Baker accepted in cross-examination that there would be no LSE on the SPA beyond 200m. In fact although NOx impacts can be discernible up to 200m

⁵⁴⁵ See Dr Brookbank’s proof at paras. 5.144 and 5.145 and Map 12.

⁵⁴⁶ See Dr Brookbank’s proof at para. 5.5. While the *Wealden* case cast some doubt on parts of the advice in DMRB the 200 metre assessment range was expressly cited by the Judge who made no criticism of it.

from a road, impacts are thought to be greatest within the first 50-100m⁵⁴⁷. The 200m zone for scoping sites with the potential to be affected by air quality change is therefore precautionary, and beyond 200m NOx dispersion falls to background concentrations such that road traffic contributions have no discernible and no tangible effect⁵⁴⁸. A research study by Laxen and Marner (CD13.30) indicates that NO₂ contributions from road sources drop off steeply from the roadside and are no different to background levels by 100-140m. In cross-examination Professor Laxen sought to suggest that the position might be different with NOx but ultimately he accepted that the fall-off rate would be “similar”; Dr Tuckett-Jones in her oral evidence explained why the position was not different between NOx and NO₂ – and she was not cross-examined on this⁵⁴⁹. As both Dr Tuckett-Jones and Dr Brookbank explained in evidence-in-chief, WSP's monitoring data also supports NOx decline with distance. Thus what must be considered in this case is potential effects of air quality change on the SPA within 200m of the A3 and M25, but with the real focus clearly being on up to 140m.

355. It should be noted that WAG's evidence as well as providing no air quality modelling also contains no analysis of the possible spatial distribution of air quality exceedances either now or in future years.

356. Thus looking at the evidence the position is as follows:

356.1. The Addendum ES air quality modelling shows, see Dr Brookbank's proof, Map 10, that in 2031 with the Appeal Scheme the critical level exceedance contour for NOx will be well within 140m of the A3 and M25;

356.2. The further modelling in Transport Technical Note 1 (ID4) shows this contour in 2031 to be largely unaffected with exceedances of the critical level significantly less than 140m in all scenarios⁵⁵⁰. Thus under Scenario C3 the maximum distance of exceedance of the critical level into the SPA is 65m⁵⁵¹. This is important because as noted above Professor Laxen accepts that this latest modelling was properly verified and adjusted⁵⁵²;

356.3. Modelling of process contributions to ND is shown in the Information for HRA report appended to the Addendum ES, and in any event as Professor Laxen accepted in cross-examination the process

⁵⁴⁷ CD Ref. 13.24, Dr Brookbank's proof at paras. 5.5 and 5.6 and Professor Laxen's responses in XX.

⁵⁴⁸ See Dr Brookbank's proof at para. 5.5 and her further explanation of the basis for this view in her EinC. She made reference to CD13.30 at para. 3.10 where in the paper produced by Professor Laxen he said that “at 100m or more from the road, the difference between the total concentration and the background concentration should be as close to zero as will make virtually no difference”. Such an effect is certainly best described as having no “tangible” effect and it is difficult to see why in XX Professor Laxen resisted this characterisation.

⁵⁴⁹ She made reference to the fact that the monitoring done for this appeal shows that the declines in impact as distances increase from the road do apply to NOx.

⁵⁵⁰ See para. 7.8 and App 10.2 Table A11.4 and App. 10.3 figure A10.1

⁵⁵¹ Transects 1 and 2: 65m; Transect 6, 10m; Transect 7, 40m; and Transect 8 less than 5m.

⁵⁵² And is “better modelling” (see above).

contribution contour for ND exceedance is likely to be smaller than for NO_x, so focusing on NO_x is focusing on the worst case in terms of air quality effects;

- 356.4. The updated modelling in Transport Technical Note 1⁵⁵³ shows that the process contribution from the Appeal Scheme for NO_x falls to less than 1% significantly before 140m, and this was accepted in cross-examination by Professor Laxen⁵⁵⁴. Thus Transects 1 and 2⁵⁵⁵ shows no exceedance of the 1% rule in the SPA; Transect 6 shows exceedance of the 1% rule 65m into the SPA; Transect 7 shows exceedance to 70m and Transect 8 shows no such exceedances. Thus areas where the Appeal Scheme makes a 1% or greater contribution to NO_x is only very close to the road. All well within 100m.
357. Thus any damage that might occur to the SPA would be damage happening well within 140m of the A3 and M25. It is therefore necessary to examine what broad habitats there are, and likely to be in the future, within 140m of the roads. The most important habitat for the Annex I birds is heathland, referred to for AQ assessment as 'dwarf shrub heath': see Dr Brookbank's proof at paras. 5.17 and 5.18. In respect of Dartford Warblers and Nightjar they are habitat specialists and thus are only potentially affected by impacts on heathland. Woodlark could also be affected by impacts on coniferous woodland because they use it for breeding but only where it is managed by rotational felling which creates areas of open habitat.
358. EPR on behalf of the Appellant has undertaken detailed vegetation surveys of the SPA within 200m of the A3 and M25⁵⁵⁶. Mr Baker confirmed in cross-examination that neither he nor his firm had done any such surveys or even visited the site and he confirmed his evidence did not seek to challenge the findings of the surveys EPR had undertaken.
359. Within 140m of the A3 and the M25 in the SPA there is hardly any heathland, as can be seen from Dr Brookbank's Map 10. Predominately the broad vegetation type present is dry woodland and scrub. Thus much of what is present e.g. dense bracken, bramble and gorse is not attractive to Annex I birds (see Mr Baker's proof at para. 4.4) and not sensitive to nitrogen (see Dr Brookbank's rebuttal at para. 3.17). While it is correct that there is within 140m of the road coniferous woodland such woodland is not in these particular

⁵⁵³ ID4 see Table A10.3.

⁵⁵⁴ Moreover, in their January 2016 Position Statement 'Use of a Criterion for the Determination of an Insignificant Effect of Air Quality Impacts on Sensitive Habitats' (CD Ref. 13.66), the Institute of Air Quality Management (IAQM) state "[u]ltimately, a conclusion on whether air quality impacts are likely to be the cause of an adverse effect on the integrity of a designated site is best made by a qualified ecologist". In relation to the EA's methodology for screening insignificant air quality effects, the IAQM statement advises: "...it is the position of the IAQM that the use of a criterion of 1% of an assessment level in the context of habitats should be used only to screen out impacts that will have an insignificant effect. It should not be used as a threshold above which damage is implied and is therefore used to conclude that a significant effect is likely. It is instead an indication that there may be potential for a significant effect, but this requires evaluation by a qualified ecologist and with full consideration of the habitat's circumstances": see Dr Brookbank's rebuttal at paras. 3.13 and 3.14 and her EinC.

⁵⁵⁵ On the basis of the SPA boundary as contended for by the Appellant; but even on the basis of the boundary argued for by WAG exceedance of the 1% rule would only exist a mere 5m from the road.

⁵⁵⁶ see Dr Brookbank's proof at para. 5.28 and Map 10.

areas managed by rotational felling such that would make it useable by woodlark. And indeed as one would expect given the vegetation present⁵⁵⁷ there are in fact no bird territories within 140m of the relevant roads: see Dr Brookbank's Map 10. None of this was disputed by Mr Baker in cross-examination; his case is though that the SPA should be managed differently in order to create different vegetation types close to the roads. In taking that view he appears to have had little regard to the realism of such an approach.

360. It should be noted though that this is not (as WAG seek to suggest) the Appellant's case that the SPA is already degraded and therefore it is acceptable to degrade it further.

361. The woodland that lies within 140m of the A3 and M25 has a number of important functions in terms of providing a shelterbelt effect that protects the remainder of the SPA, and the Annex I bird populations, from increased mortality from bird strikes, noise, light and the dispersion of pollutants such as NOx. This makes it highly undesirable to remove woodland either in terms of rotational felling or for clearing it to seek to create heathland. The fact is that it provides an important protective function (indeed the DMRB recognises the shelterbelt effect of trees near roads) and even if it were removed the birds would not be likely to use such areas because of bird strike, noise and light impacts. There is no requirement that all land within an SPA be managed in order to create one type of vegetation; variations are allowed. Woodland is itself a natural and important component of heathland ecosystems.

362. Dr Brookbank explained in evidence-in-chief SPAs were designated on the basis of pre-existing SSSIs and thus it is hardly surprising that not every part of the SPA supports nesting birds. She explained in her oral evidence that creating the "*heathland monoculture*" that Mr Baker appears to contend for would be harmful to the biodiversity of the SSSI. She made the further point that habitat within an SPA can perform a function other than providing an area to nest e.g. it can be part of a roadside buffer protecting bird habitat.

363. In cross-examination it was suggested to Dr Brookbank that her approach involved "*disregarding*" a significant area of the SPA namely 50 -70 ha if one is looking at areas 140m from the major roads in issue. But Dr Brookbank rightly rejected this suggestion in her oral evidence for two key reasons. First, these areas are not being "*disregarded*" rather the different function of such areas is being recognised. Second, while the detailed assessment undertaken has looked at a zone up to 140m from the roads the exceedance contours and areas where the Appeal Scheme makes a 1% or more contribution is significantly less than 140m as explained above. Moreover, the SPA is 8274.72 ha in total. Thus the areas in issue form a very small part of the SPA⁵⁵⁸.

⁵⁵⁷ And other associated factors with the road e.g. noise, light disturbance and bird strike.

⁵⁵⁸ See further Table 12 of Dr Brookbank's proof.

364. Dr Brookbank's evidence-in-chief set out a stage by stage approach to the restoration scenario that forms Mr Baker's case:

- 364.1. **Would heathland creation or plantation clearing creation be likely to be pursued in the future close to the A3 and M25?** No because it is likely to be desirable to maintain a tree belt along major roads as it provides a protective buffer from noise, light, air pollution, bird strike. DMRB advocates buffers as best practice in road design. Moreover, as Mr Baker accepted in cross-examination, the SWT management plan for the SPA (2010-2020) does not seek to alter the vegetation types within 140m of the roads.
- 364.2. **If contrary to this there was a future target to "restore" heathland/plantation clearings close to the roads would air pollution prevent this?** No. Heathland restoration has taken place despite historic exceedance of critical levels and loads: see Map 12 to Dr Brookbank's proof.
- 364.3. **If habitats were created close to the roads, assuming they could successfully be, would air pollution preclude bird nesting?** Plainly not as Dr Brookbank's Map 11 to her proof shows birds nesting across habitats exceeding air quality objectives⁵⁵⁹. In any event birds would not nest in such areas for other reasons related to the road (see above).
- 364.4. **What effect would increased nitrogen have?** Mr Baker argues that ND would cause bare ground to cover making any restored habitat unsuitable but natural succession already results in the cover of bare ground and ultimately transition to woodland but this is a slow process. Thus on Wisley Common bare ground scrapes created *circa* 2 years ago have still not vegetated over despite existing air quality objective exceedances. In relation to the Appeal Scheme all the modelling (for the ES and update) shows that ND in heathland habitat (which would be the restored habitat type under examination) can be completely screened out as insignificant according to the 1% rule⁵⁶⁰. The Appeal Scheme is thus making such a small contribution to ND that any effect on plant growth would be indiscernible⁵⁶¹.
- 364.5. **Even if one considered the *de minimis* contribution of the Appeal Scheme as having the potential to act in-combination and affect the suitability of restored habitat is there a way to avoid any such effect?** Yes increasing habitat management would *avoid* any LSE from occurring. Some such management is already happening and the Appellant is proposing additional funding for more such management⁵⁶². This would avoid any net air quality effect from the Appeal Scheme and indeed go

⁵⁵⁹ See also Dr Brookbank's rebuttal at Table 1, p 12.

⁵⁶⁰ See fig AQ.11 to Dr Tuckett-Jones's proof.

⁵⁶¹ See Dr Tuckett-Jones's proof at Table AQ11.

⁵⁶² As noted elsewhere the Appellant proposes a 'monitor and manage' approach for SSSI. There is a financial contribution and provision of warden, to cover vegetation and invertebrate monitoring, and any necessary habitat management, over and above ongoing management

further and help address potential effects from other sources. Dr Brookbank rejected the suggestion in cross-examination by Mr Harwood QC that this was “*compensation*”; it is plainly not such given it is a measure that is aimed at avoiding adverse effects occurring. Mr Baker’s oral evidence also referred to compensation, but as Dr Brookbank explained in her evidence-in-chief additional compensation habitat would only be required if habitat was being lost, and that would not be the case here.

365. It is also the case that other factors such as geohydrological conditions, habitat management and disturbance have the potential for a greater impact on SPA bird habitat suitability than air quality change, something Mr Baker accepted in cross-examination that he had not considered⁵⁶³. Moreover, consideration needs to be given to factors such as habitat type, existing suitability for SPA birds, existing nutrient nitrogen status, soil type, degree of nitrogen leaching, existing site management, and so on⁵⁶⁴. Dr Brookbank’s evidence⁵⁶⁵ is that these other factors are likely to have a greater relative effect on habitat suitability than air quality.

366. Thus we come to Dr Brookbank’s careful and detailed analysis of why there would not be a LSE on the SPA⁵⁶⁶. The assessment concluded no LSE from air quality change on the SPA based on the following observations made in respect of NO_x (the same conclusions apply to the assessment of effects from ND, which for this assessment has a much smaller exceedance footprint than NO_x):

366.1. The context of the modelled assessment is one of background improvements between the baseline year in 2013, and the modelled 2031 Scenario C⁵⁶⁷. This wider context of improvement is considered below;

366.2. The exceedance areas are likely to be exaggerated due to the likely ‘shelterbelt’ or ‘barrier’ effect of the roadside trees in reducing nitrogen penetration into the site (Mr Baker accepted in cross-examination that in terms of pollutants the trees did have a shelterbelt effect);

366.3. The majority of the habitat types present within the exceedance areas are not suitable for the Annex 1 birds that seek out open ground within heathland and recent coniferous plantation clearings. Mr Baker, in cross-examination, accepted that there is currently no suitable habitat⁵⁶⁸ for birds close to the

efforts. The OBP (CD77, p 15) includes annual financial provision for heathland creation, woodland and scrub management, and these funds can be used as required to address any discernible effects from air quality.

⁵⁶³ This was discussed in the proof and EinC of Dr Brookbank. She referred to the IPENS report (ID82) to support her view.

⁵⁶⁴ See Dr Brookbank’s rebuttal at para. 3.4.

⁵⁶⁵ As explained in her EinC.

⁵⁶⁶ See Dr Brookbank’s proof at para. 5.42.

⁵⁶⁷ See below, and this was not disputed by Professor Laxen in XX.

⁵⁶⁸ In XX Mr Baker sought to argue that the habitat close to the roads is unsuitable because of existing poor air quality but Dr Brookbank in her EinC responded by pointing out that the dense vegetation found next to the A3 and M25 is also found across other parts of the SPA away from the roads where background nitrogen levels would be lower, such that presence of that habitat type not driven by air quality, but other factors such as previous disturbance, soils, natural succession and lack of management

A3 and M25. This being so any additional pollution will not make this habitat less suitable. It is already unsuitable;

- 366.4. The areas experiencing air quality decline are a considerable distance away from known Annex 1 bird territories;
- 366.5. The majority of the habitats within the areas of exceedance already have a prolific cover of bracken, bramble or gorse that are not dependent on low Nitrogen levels. They are therefore unlikely to be significantly altered in terms of their composition and structure, and therefore their potential suitability for Annex 1 birds, as a result of ND;
- 366.6. The habitats present within the areas of exceedance are predominantly comprised of habitats unlikely to be particularly sensitive to the direct toxicity effects of airborne NO_x, and so their potential suitability for Annex 1 birds is not likely to be significantly altered by increases in airborne NO_x concentrations;
- 366.7. The habitat types within the exceedance areas are unlikely to significantly change in the future as a result of management intervention, making them suitable for Annex 1 birds, because the woodland is likely to be retained in the long-term as a woodland shelterbelt protecting the rest of the site and to provide screening of the road;
- 366.8. Even if the habitat types were suitable, due to the location adjacent to the roads they would be unlikely to be used by the Annex 1 birds as a result of bird strike, noise and light disturbance (this conclusion is supported by AECOM's review (CD 5.18) "*habitat so close to the road is unlikely to be used by SPA birds even if it is suitable...at Chobham Common, scrutiny of territory maps undertaken by AECOM for Highways England's M3 Smarter Motorway scheme identified that no SPA birds nest closer to the motorway than 70m distant, despite the presence of suitable habitat closer to the road*");
- 366.9. As a result of the highways mitigation measures proposed, there is an area in the core part of the SPA away from the A3 and M25 that will experience improvements in air quality (NO_x); and
- 366.10. Precautionary mitigation has been proposed to address potential effects on the SSSI, to be secured by the S106 agreement. The measures are likely to deliver benefits for the SPA/SSSI habitat complex as a whole and could result in increases in the area of habitat that would be suitable for Annex 1 birds, if other factors associated with the M25/A3 were not precluding them (such as could be the case in the future), and therefore a net benefit to site integrity. Such measures will ensure that the Appeal proposals make no contribution to a potentially significant adverse in combination effect.

367. Third, Mr Baker raises issues as regards in-combination assessment. These points lack any merit for the following reasons. Mr Baker's proof states unequivocally that the Appellant's Addendum ES is defective

because in-combination effects were not considered. And in cross-examination this was his starting point, albeit he soon beat a hasty retreat from this wholly indefensible position⁵⁶⁹. The position is as follows:

367.1. Mr Baker accepted in cross-examination that the only respect in which he alleged the Addendum ES and Information for HRA was not in compliance with the EIA Regulations and/or the Habitats Regulations was because he thought that it failed to consider in-combination effects;

367.2. The fact is that in-combination effects were considered in the Appellant's assessments:

367.2.1. The Appellant's use of the 1% rule has not precluded there being an in-combination assessment for the reasons set out in detail in Dr Brookbank's proof at paras. 5.64 – 5.152; see especially para. 5.84. Much of this analysis is now unnecessary given that Mr Baker has in cross-examination made clear that he is not challenging the use of the 1% rule in this case;

367.2.2. The contributions of future development linked to plans and consented/proposed projects included in the SINTRAM and long distance sources of air pollution modelled as part of the DEFRA background to a potentially significant impact on the SPA/SSSI as a result of air quality change have been modelled as part of the future 2031 baseline, and considered in combination with the Appeal Scheme under Scenario C and C3: see Dr Brookbank's proof at para. 5.115; Transport Technical Note 1 (ID4) and the TAA (CD3.14, at App F, p 2);

367.2.3. See also in the Information for HRA (CD14.1.56) paras. 1.5, 9.4, 9.57, 9.58, 9.64 and 10.4.

367.3. When faced with this evidence in cross-examination Mr Baker accepted that there had been an in-combination assessment but that it was incomplete;

367.4. He alleged two matters only which had not been considered in the in-combination assessment:

367.4.1. The RHS Wisley permissions granted in September 2016 and June 2017⁵⁷⁰;

367.4.2. The RIS scheme.

367.5. In relation to the RHS Wisley permissions these post-dated the Addendum ES and Information for HRA and as explained above the background growth applied to Wisley Lane and nearby roads in the model comfortably accounts for any increases in traffic as a result of these permissions (see above, under Main Issue 4);

367.6. In relation to the RIS scheme this requires consent under the Planning Act 2008 and while consultation has taken place no preferred route has yet been announced. Moreover, as is explained in Mr Harwood's rebuttal at para. 19 at the present time "*any designs for the M25 Junction 10 scheme are concepts*" without detailed design. As matters stand there is no basis upon which one could assess the

⁵⁶⁹ In making these comments in para. 5.1 Mr Baker was looking at the original ES, and not the ES Addendum (as he accepted in XX and see also ID63). It should be noted that he also suggests in this paragraph that only NOx was considered in the Information for HRA and not ND. In XX he accepted that this was not so as ND was modelled in respect of coniferous woodland and which has a lower critical load than does dwarf shrub heath.

⁵⁷⁰ See Mr Davies' proof at para. 5.39; Professor Laxen only mentioned the September 2016 permission in his oral evidence.

RIS in-combination. There is no certainty as to what is proposed and no absolute guarantee it will be implemented, albeit there is a reasonable prospect the RIS scheme in some form will happen. This is important because MANAGING NATURA 2000 SITES The provisions of Article 6 of the 'Habitats' Directive 92/43/EEC (CD13.9) says that in terms of what need to be considered in an in-combination assessment it is "[p]lans and projects which have been approved in the past and which have not been implemented or completed should be included in the combination provision". That clearly does not cover the RIS. The guidance goes on to say that "[o]n grounds of legal certainty, it would seem appropriate to restrict the combination provision to other plans or projects which have been **actually proposed**" (CD13.9, emphasis in original). Until there is a finalised design the subject of a DCO application this test is not met for RIS.

368. Fourth, while Mr Baker's view is that his approach is somehow mandated by EU law given how extreme a view it is, and the absurd results it would give rise to, some consideration should be given to the impacts of accepting such view. Mr Baker sought to downplay this saying that the situation is similar to that prior to the *Hart* case and the development of SANG in respect of recreational impacts on the Thames Basin Heaths SPA and which resulted in a moratorium on development within 5km of the SPA. But the impacts of this extreme view are far, far greater. The effect of Mr Baker's position is that there could be no development anywhere in the UK if it risked adding in any way to nitrogen within the SPA by for example generating a single vehicle movement on the A3 or the M25 or indeed on other roads elsewhere. Mr Baker accepted this and said it was an "*inconvenient truth*"; it is no such thing - his view is utterly untenable. Furthermore, and somewhat bizarrely, as noted above Professor Laxen and WAG make no objection to the Appeal Scheme on air quality grounds in terms of construction impacts. This cannot easily be reconciled with Mr Baker's views as a number of additional vehicular movements would be required on the A3 and M25 for construction. Despite that Professor Laxen accepts any such impacts can be conditioned. It should be added that in cross-examination Mr Kiely as a planner working in Guildford was to say the least less than enthusiastic about Mr Baker's view.
369. Fifth, in cross-examination Dr Brookbank was asked whether there was any difference between the detailed assessment she undertook to establish that there were no LSE and what would be required for an appropriate assessment. She confirmed that so detailed was the assessment that there is no substantive difference. This approach finds support in the Supreme Court's decision in *Champion*⁵⁷¹. Dr Brookbank explained in her evidence-in-chief that the detailed assessment she has undertaken provides the "*objective information*" on

⁵⁷¹ CD11.19 per Lord Carnwath at para. 42 "[i]n the present case, in the light of the new information provided and the mitigation measures developed during the planning process, the competent authority, in common with their expert consultees, were satisfied that any material risk of significant effects on the SAC had been eliminated. Although this was expressed by the officers as a finding that no appropriate assessment under article 6(3) was required, there is no reason to think that the conclusion would have been any different if they had decided from the outset that appropriate assessment was required, and the investigation had been carried out in that context".

which she is able to conclude there are no LSE⁵⁷², an approach that is supported by *Hart*⁵⁷³. Thus, despite screening out certain effects (see paras. 5.117 and 118 and Table 10 of Dr Brookbank's proof and her evidence-in-chief) nonetheless a detailed assessment of air quality impacts has been carried out. Dr Brookbank in evidence-in-chief referred to the CJEU decision in *Waddenzee*⁵⁷⁴ which says that a project which has an effect on a European Site "*but is not likely to undermine its conservation objectives .. cannot be considered likely to have a significant effect on the site concerned*"⁵⁷⁵. Her careful assessment focussed on those objectives (see ID33) and concludes that these are not being undermined for the reasons set out above. There is thus no LSE from the Appeal Scheme either alone or in-combination.

370. Sixth, Dr Brookbank's evidence was that any assessment of the ecological impacts had to have regard to the context of predicted improvements in air quality⁵⁷⁶. There are some important context points to have regard to:

- 370.1. There are no designated AQMAs anywhere in Guildford (see Dr Tuckett-Jones's proof at para 3.3 and Professor Laxen's response in cross-examination;
- 370.2. There have been substantial declines in NOx emissions since 1990, with continuing projected declines⁵⁷⁷;
- 370.3. GBC have developed a Transport Strategy (2017) (CD 8.51) that contains a joint transport and air quality strategy; this recognises the contribution of road transport to air quality and commits GBC to road investment to tackle congestion⁵⁷⁸. AECOM's air quality review of the eGBLP (CD8.49) says at para. 2.2.2.2 "*GBC and partners have introduced initiatives such as a car club, park and ride, emissions based parking charges and walking and cycling schemes which can encourage travel by non-car modes and accordingly help to improve local air quality in relation to emissions from traffic*";
- 370.4. There is an Air Quality Strategy (2016) that accompanies the Surrey Transport Plan (CD Ref. 8.38) which promotes the use of smarter travel choices to reduce air pollution from road traffic sources⁵⁷⁹;
- 370.5. In the UK initiatives including 'Site Improvement Plans' (SIPs) (CD Ref. 13.72) and the 'Atmospheric Nitrogen theme plan' (CD Ref. 13.73) that, form part of the wider 'Improvement Programme for England's Natura 2000' (IPENS)(CD Ref. 13.74), are enabling key partners (including Natural England)

⁵⁷² See the *Wealden* case at para. 44(ii), CD11.23.

⁵⁷³ See Dr Brookbank's proof at para. 3.61 and her EinC.

⁵⁷⁴ CD11.12

⁵⁷⁵ See also Dr Brookbank's proof at para. 3.45.

⁵⁷⁶ She set out the relevant considerations in her proof and further elaborated on these in her EinC.

⁵⁷⁷ Dr Brookbank's proof at para. 5.20; CD Ref. 13.80; accepted by Professor Laxen in XX.

⁵⁷⁸ See Dr Tuckett-Jones's proof at para 2.13 and Professor Laxen's response in XX.

⁵⁷⁹ See Dr Tuckett-Jones's proof at para 2.12 and Professor Laxen's response in XX.

to plan and work towards the strategic recovery of Natura 2000 sites, including addressing effects arising from air pollution⁵⁸⁰;

- 370.6. The Government has also just published the final draft of its 'National Air Quality Plan' in July 2017 (CD13.75), which commits to investing over £2.7 billion in air quality improvement and transport initiatives- including funding to increase the uptake of ultra-low emission vehicles (ULEVs), various Funds for upgrading public transport and roads networks, a Cycling and Walking Investment Strategy and an Air Quality Grant scheme to help local authorities tackle air quality (see Dr Brookbank's proof at para. 5.22, and Professor Laxen's response in cross-examination);
- 370.7. Legislation is currently being developed within the European Union that would introduce improved and more stringent vehicle emissions testing (Real Drive Emissions, RDE) that should make it much more difficult for manufacturers to distort the results of vehicle emissions testing than under existing procedures. Both the AQC and DfT reports make clear that it is reasonable to expect the introduction of Euro 6c/d (i.e. vehicles subject to RDE test cycle) will further reduce fleet average emissions from existing Euro 6a/b vehicles⁵⁸¹;
- 370.8. In terms of ecological impacts, the focus is of course on the impact of the development within the 140m corridor, and the conservation objective for air quality in the supplementary advice (ID33) is to "[r]estore as necessary the concentrations and deposition of air pollutants to at or below the site-relevant Critical Load or Level values given for this feature of the site on the Air Pollution Information System (www.apis.ac.uk)" (emphasis added). It includes a caveat in the Explanatory Notes "[i]t is recognised that achieving this target may be subject to the development, availability and effectiveness of abatement technology and measures to tackle diffuse air pollution, within realistic timescales". Leaving aside the question of whether it is 'necessary', achieving the objective will, undoubtedly, be dependent on actions within the UK and Europe to reduce pollution from all sources (transport / power generation etc.) and then the question is "will the development affect the reduction of pollution to within critical load or level" within realistic timescales. Dr Tuckett-Jones's view was 'no it won't' – even at the local scale. The small proportion of traffic from the development running past the SPA will not offset the long-term benefits of national and international measures that will provide the year on year reductions in the future. She confirmed in evidence-in-chief that she did not think it likely that any delay to achieving the critical loads/levels will be perceptible⁵⁸².

3.10.8. SPA boundary

⁵⁸⁰ See Dr Brookbank's proof at para. 5.21.

⁵⁸¹ See Dr Tuckett-Jones's proof at para. 4.56; accepted by Professor Laxen in XX.

⁵⁸² See further Dr Tuckett-Jones's EinC.

371. This issue raised late in the day by WAG need not detain us long. The Appellant's position relied on detailed GIS mapping provided by NE and the JNCC – the bodies charged with updating SPA boundaries with the European Commission: see further ID35. In any event, as Dr Brookbank explained in her evidence-in-chief the area of discrepancy between this mapping and the older designation map held by DEFRA relates to land immediately adjacent to the A3 that does not comprise suitable bird habitat nor would it ever whilst the roads are present and so this issue has no bearing on the outcome of the assessments made.

3.10.9 Conclusions

372. For all the above reasons there is no remotely credible case that the appeal should be refused on air quality grounds.

3.11. Whether the proposals make adequate provision for community and other facilities including education, police, health and libraries

373. The section 106 agreement makes adequate provision for community and other facilities including education, police, health and libraries. Indeed, the provision made by the Appeal Scheme in this respect goes beyond simply providing the facilities required by the residents of the new settlement and will be beneficial beyond the Appeal Site. We return to this in considering the next (and final) main issue⁵⁸³.

3.12. Whether the other material considerations advanced in support of the development are very special sufficient to clearly outweigh any harm to the Green Belt, and any other harm, such as to amount to the circumstances necessary to justify the development

374. It is the Appellant's case that the "*other considerations*"⁵⁸⁴ advanced in support of the Appeal Scheme clearly outweigh the harm to the Green Belt together with any other harm such as to give rise to VSC.

3.12.1. Green Belt harm

375. The Green Belt harm is considered under Main Issue 1 above.

3.12.2. "any other harm"

376. In terms of "*any other harm*"⁵⁸⁵ the Appellant's case is that the other harms are⁵⁸⁶:

376.1. Some harm from loss of best and most versatile ("*BMV*") agricultural land⁵⁸⁷;

⁵⁸³ A summary of the key triggers in the section 106 agreement are set out in ID97, along with their justifications.

⁵⁸⁴ See the language in para. 88 of the NPPF; CD9.1.

⁵⁸⁵ *Ibid.*

⁵⁸⁶ See Mr Collins's proof at para. 20.129 and his EinC.

⁵⁸⁷ See Mr Collins's proof at para. 27, p. 10 – to be given limited weight.

- 376.2. Some localised harm to character and appearance;
- 376.3. Harm to heritage assets limited to impact on the settings of Grade II-listed buildings falling within the lower range of "less than substantial" harm and/or "negligible harm";
- 376.4. Loss of part of the Appeal Site as a potential waste facility designated in the SWP.
377. In relation to these "other harms" point 2. above is dealt with under Main Issue 8; and point 4. under Main Issue 7.
378. In relation to point 3. And heritage the harms are "less than substantial" and/or "negligible" and while considerable importance and weight must be given to the harms the test is whether these are outweighed by public benefit (see para. 134 of the NPPF). The Appellant's case is that this test is satisfied. The further point made in WAG's closing at para. 57 that the scheme cannot be designed to avoid any such harms has no proper basis.
379. In relation to point 1. above part of the Appeal Site contains currently BMV agricultural land. There are a number of points:
- 379.1. The Planning Statement Addendum (CD 3.10) included at App. 3 a plan which provides clarity on the loss of this land. The area of agricultural land proposed for built development extends to approximately 32.2ha, of which 19.3 ha is classified as BMV;
- 379.2. The relevant Agricultural Land Classification Report is included in Addendum ES and this indicates c 44 ha of Grade 2 and 3a agricultural land across the whole Appeal Site⁵⁸⁸, not all of which is to be lost to built development – again this concludes that the net loss of BMV to built development is 19.3 ha;
- 379.3. GBC's RfR did not contain any RfR based on loss of BMV;
- 379.4. In the OR (CD6.1, para 10.8.4) it was accepted that the net loss would be approximately 20ha of BMV land and that while this "would be contrary to the objectives of objectives of paragraph 112 of the NPPF" nonetheless "this harm could be minimised through the reuse of suitable soils and the protection of those within areas not shown for development and accordingly this is not, in itself, a reason to withhold planning permission";
- 379.5. The SoCG with GBC agrees the losses of agricultural land and notes that "[i]n the event of a national emergency or change of circumstances the undeveloped land has the potential to be returned to agricultural use" (see para. 6.1⁵⁸⁹);

⁵⁸⁸ Confirmed by Mr Collins in his oral evidence. Mr Collins did not accept, as is suggested in WAG's closing at para. 84, that all the BMV would be lost.

⁵⁸⁹ And confirmed by Mr Collins in XX.

379.6. Importantly NE who are the statutory consultee charged with responsibility for BMV were consulted but did not object on this basis. NE noted that “[a] proportion of the agricultural land within the development site will remain undeveloped. The built development will occupy 32.2ha of agricultural land, of which 19.3ha is classified as best of most versatile (BMV) agricultural land (5.3ha Grade 2 and 14ha Grade 3a), and would give rise to an irreversible loss of BMV land”. It recommended “if the development proceeds, the developer uses an appropriately experienced soil specialist to advise on, and supervise, soil handling, including identifying when soils are dry enough to be handled and how to make the best use of the different soils on site”;

379.7. A draft condition is thus proposed to deal with this.

380. Mr Sherman for GBC in his proof indicated only three other harms⁵⁹⁰: (i) harm to character and appearance (to which he afforded moderate weight); loss of BMV to which he afforded moderate weight) and conflict with the SWP (to which he attributed little weight).

3.12.3. “other considerations”

381. In terms of the material considerations advanced in support of the Appeal Scheme, the OR on the application for planning permission accepts⁵⁹¹ that the Appeal Scheme includes “significant benefits” and GBC has agreed a summary of key benefits in the SoCG with the Appellant⁵⁹².

382. There are fourteen key factors advanced in support of the Appeal Scheme and which together give rise to VSC⁵⁹³. These are:

382.1. Support from the eGBLP and consistency with the emerging evidence base;

382.2. The uniqueness of the Appeal Scheme and Site, notably the absence of a viable, feasible and available alternative for a new settlement in the borough;

382.3. Job creation and delivery of economic growth⁵⁹⁴;

382.4. Increased consumer spending and retail provision;

382.5. Upgrades to local infrastructure, notably to the strategic highways network, upgrades to existing public transport and provision of new public transport; and cycling infrastructure benefits⁵⁹⁵;

382.6. Delivery of a significant proportion of the borough's housing requirements, notably market and care homes, and provision for gypsy and travellers;

⁵⁹⁰ See paras. 5.6 – 5.7 of his proof

⁵⁹¹ CD 6.1 at para. 1.4.

⁵⁹² Para. 6.7.

⁵⁹³ See Mr Collins’s proof at pp. 191 -215

⁵⁹⁴ The SoCG cites: 6,000 sq m of employment and retail floorspace potentially accommodating 350 full time equivalent permanent jobs; per annum: £12.2m of new convenience goods expenditure and £27.5m of new comparison goods expenditure within the local area by 2021; and significant infrastructure improvements.

⁵⁹⁵ The cycle and bus provision made by the scheme would benefit the wider community as well as the residents of the new settlement. The proposed upgrades to highway infrastructure would be similarly beneficial.

- 382.7. Delivery of up to 800 affordable homes in the context of poor past delivery in the borough⁵⁹⁶;
- 382.8. Improvements to education, including on site provision of a primary school and secondary school⁵⁹⁷, which partly meets the wider demand, and improvements to health and community provision including sports provision;
- 382.9. Re-use of brownfield land⁵⁹⁸, including a derelict runway;
- 382.10. Creation of new publicly accessible Greenspaces;
- 382.11. Landscape⁵⁹⁹ and biodiversity⁶⁰⁰ enhancements;
- 382.12. The sustainability of the proposals, particularly the provision made for ongoing management of the Appeal Site through the WACT⁶⁰¹ and which includes, SANG management, SAMM plus provision, bus provision and community asset management;
- 382.13. Flood risk mitigation at Ockham interchange;
- 382.14. Improvement to local policing.

383. Before turning to look at these there are some general points to make.

384. First, the Appellant's case is that the above factors combine to give rise to VSC. Mr Bird QC in cross-examination put to Mr Collins that the Appellant had to persuade the Secretary of State of all of the above points to establish VSC. That is clearly wrong; and as Mr Collins pointed out some of these "*other considerations*" are more important than others. The most important being: 1) - 9) and 12). The others 10) - 11) and 13) - 14) give rise to benefit but clearly are less important. The Secretary of State may not agree on all of the above other considerations, even some of the important ones but the Appellant says he could still nonetheless very easily conclude, given the overall scale of benefits as outlined below, that there is VSC. There is not a set number of factors which are required to clearly outweigh the harms. VSC is undefined in law - it is a matter of planning judgment⁶⁰².

⁵⁹⁶ Up to 25% of the borough's annual affordable housing need, or 14% of the total eGBLP requirement.

⁵⁹⁷ The SoCG correctly notes that the secondary school provision would be beneficial beyond simply meeting the needs generated by the scheme. It is also common ground between GBC and the Appellant that the 4 form entry secondary school element will, in part, cater for the needs of the eastern part of the borough (circa 20% of the needs identified over the eGBLP plan period, see the SoCG at para. 6.22).

⁵⁹⁸ The largest area of PDL in the GBC part of the Green Belt.

⁵⁹⁹ The Appeal Scheme would enhance the quality and quantity of characteristic landscape features within the Appeal Site.

⁶⁰⁰ The statement also correctly records that the package of ecological measures proposed will have positive ecological benefits, as opposed to merely mitigating the ecological impact of the scheme.

⁶⁰¹ The Appeal Site would be the fourth largest settlement in Guildford borough with the necessary services and amenities.

⁶⁰² Contrary to the line of XX pursued by Mr Bird QC of Mr Collins there is no requirement for the benefits to be of regional or national importance as opposed to of local importance. The only issue being whether it the overall balance the benefits clearly outweigh the harms.

385. Second, the characterisation of the Appellant's VSC case as being based exclusively on housing need is refuted. Thus, looking at the list of 14 matters relied on as constituting VSC see Mr Collins's proof at para. 20.11 the following factors:

385.1. 1) allocation in eGBLP;

385.2. 2) uniqueness of site/absence of alternatives;

385.3. 3) - 5): job creation, delivery of economic growth, increased consumer spending and retail provision, and infrastructure upgrades;

385.4. 8) - 14): education provision for wider Borough, re-use of brownfield land, creation of new public open spaces, landscape and biodiversity improvements, delivery of sustainable development, flood mitigation at Ockham Interchange and improvements to local policing.

are not based on housing need. There is, of course, some overlap in the VSC relied on but that is inevitable and more importantly unobjectionable.

386. Third, and related to this, one can consider by way of analogy the Perrybook case (CD10.2). There as we have seen the Secretary of State found a number of harms to the Green Belt (see DL11) going well beyond the harm here (see above) as well as moderate harm to landscape character and visual impact (DL12), harm to the setting of listed buildings (DL13) and loss of 42ha of BMV (DL16). Despite these findings he concluded that the other considerations outweighed all this harm. Those other considerations being: (i) the housing benefits (DL18); (ii) the fact that the proposal was in accordance with emerging policy (DL19); (iii) the fact that numerous studies over the years had identified the site for development (*ibid*); (iv) the considerable economic benefits; and (v) benefits from open space, sport and recreation; education and other facilities as well as "*environmental gains*". There is thus some considerable similarity in terms of the other considerations in play as between that case, not surprising given it was a proposed development of a similar type and scale and this albeit that the list of other considerations in play in the present appeal is rather more extensive. It has to be said if the criticism that all the VSC relied on were just about housing were a good point (which it is not), that would be *a fortiori* in the Perrybrook case given how much more extensive are the list of VSC here.

Other consideration 1) - support from the eGBLP and the evidence base

387. In large part this has been considered above. The fact is that like the site in the Perrybrook case (see above) the Appeal Site has been consistently concluded as suitable for release from the Green Belt and for allocation for housing for a number of years. It has been the selected site for a sustainable new settlement since 2013 in no less than four iterations of the eGBLP - and at each stage it has been the subject of a resolution of the Full Council. The eGBLP is on the brink of submission for examination - and will almost certainly have been submitted by the time the Secretary of State considers this appeal. The Appeal Site thus, at this critical point,

very much remains an allocated site in the eGBLP; as it has been for some years. It is indeed absolutely critical to the spatial strategy of the eGBLP: see Policy S2 CD8.24.

388. Moreover, the Appeal Site has consistently been assessed by both GBC and expert consultants appointed by it as the best site for Green Belt release for a new settlement given its relative lack of sensitivity in Green Belt terms and its distance from the AONB. This is the conclusion of an iterative SA procedures, the GBCS, and numerous topic papers. GBC, of course, take the view and have consistently – over a number of years – taken the view that the Appeal Site meet the exceptional circumstances test for release from the Green Belt. While the VSC test is a stricter test the factors relevant clearly overlap and the factors that have led GBC to the conclusion that there are exceptional circumstances (e.g. housing need, affordability, economic and employment needs, lack of alternatives and the need to avoid out-commuting and unsustainable travel patterns⁶⁰³) are also clearly relevant to VSC. The *Calverton* case (CD11.33) is useful here. Looking at the factors the Judge concluded were relevant to whether there were exceptional circumstances it is not difficult to see why GBC has come to the view it has and these factors are also relevant to VSC. So:

388.1. The acuteness/intensity of the objectively assessed need: this is critical in this Borough – see below;

388.2. The inherent constraints on supply/ availability of land: the Borough is 89% Green Belt with other major constraints – SPA, AONB;

388.3. The difficulties in achieving sustainable development without impinging on the Green Belt – GBC’s view is clear, as explored above, that Green Belt release is inevitable to meet anything like the needs it has;

388.4. The nature and extent of the harm to this Green Belt – the Appeal Site has consistently been rated as the least sensitive Green Belt (see above); and

388.5. The extent to which impacts can be ameliorated – the Appeal site is well-enclosed and the impact on openness (which has a visual aspect) is reduced by this and by extensive proposed landscaping mitigation.

389. It is also important in this regard that all the planning witnesses agreed that the Appeal Scheme is consistent with/compliant with Policy A35 in the eGBLP. This is why, applying Perrybrook, the Appellant says that this proposal is “*plan led*”. In this context the absence of an up-to-date Development Plan is also highly material.

Other consideration 2) – the uniqueness of the Appeal Site

390. There are a number of points to be made in this regard:

⁶⁰³ These were the factors identified in various documents put to Mr Sherman in XX and which he accepted. These matters were also dealt with in Mr Collins’s oral evidence. It is self-evidently not correct to say (as it does in Horsley Parish Councils’ closing at para. 7 that the only factor relied on by GBC for exceptional circumstances is housing need.

- 390.1. As we know the Appeal Site contains the largest area of PDL in Guilford Borough⁶⁰⁴;
- 390.2. It alone (see above) has been in the eGBLP process GBC's preferred site for a new sustainable settlement since 2013;
- 390.3. It has been robustly tested and favoured in numerous studies undertaken as part of the eGBLP evidence base;
- 390.4. It has in successive SAs been assessed against reasonable alternatives and remained the preferred site for a new settlement – indeed as we know in the latest SA it is said to be a “given”⁶⁰⁵. GBC's closing states⁶⁰⁶ that “[a]s is clear from the evidence base for the [e]merging Local Plan, the Council sees the site as essential to meeting the Borough's needs and has been unable to identify any reasonable alternative ...”.
- 390.5. There are no alternatives. Given the constraints in the Borough that is hardly surprising. Rule 6 parties have suggested somewhat weakly there are alternatives but the evidence to back this up has been somewhat lacking. Thus for example, Mr Kiely put forward Normandy/Flexford but this was deleted because it was red rated in terms of Green Belt harm (as opposed to the Appeal Site which is amber rated) and it impacted on the AONB. In any event it has half the capacity of the Appeal Site⁶⁰⁷. Mr & Mrs Paton suggested as alternatives sites that are also draft allocations in the eGBLP. These are not alternatives. They are needed in addition to the Appeal Site to meet housing needs. Indeed it will be seen that the eGBLP proposes growth all across the Borough including around Guildford. The level of need requires this;
- 390.6. The SA notes that the Appeal Site is a “preferred option” because it avoids the need to put pressure on “the most sensitive Green Belt” and is away from national landscape designations like the AONB⁶⁰⁸;
- 390.7. It offers a truly unique opportunity for a high quality designed sustainable new settlement: see above.

Other considerations 3) and 4) – job creation, delivery of economic growth, increased consumer spending and retail provision

391. The economic benefits of the Appeal Scheme are very considerable indeed. The most up-to-date evidence of these is in Mr Collins App 2 to which there has frankly been no challenge at all in any of the evidence by rule 6 parties including notably GBC. The case advanced against the Appellant has largely been confined to forensic points about the assessment of these benefits in the Addendum ES. This line of attack lacks any merit. The relevant up-to-date evidence is in App 2 to Mr Collins's proof; the benefits are now considerably greater than were assessed in the Addendum ES. This does not give rise to any kind of legal issue – and the suggestion that it does is quite hopeless.

⁶⁰⁴ Cllr Cross accepted that something would have to happen at the Appeal Site – he said he was not opposed to all development.

⁶⁰⁵ CD8.31 p 1 and para 6.6.12

⁶⁰⁶ Para. 62.

⁶⁰⁷ See the SA (CD8.31) at p 32, 35 and para 10.11.4.

⁶⁰⁸ CD8.31 p 21.

392. The benefits include:
- 392.1. 776 total direct jobs⁶⁰⁹;
 - 392.2. 1410 indirect jobs⁶¹⁰;
 - 392.3. A GVA uplift per annum (net) of £57,551,000⁶¹¹;
 - 392.4. Rates income gain of £500,000 per annum⁶¹²;
 - 392.5. Gross Council tax of £3.5 million per annum⁶¹³;
 - 392.6. New Homes Bonus of £21 million over 6 years⁶¹⁴;
 - 392.7. A cumulative net income gross of £130 million⁶¹⁵.
393. One need only glance at these figures to see just how significant these benefits are. They are even more extensive than were the economic benefits relied on in the Perrybrook case.
394. The suggestion that these benefits are to be viewed as anything other than significant lacks any credibility. Indeed, notwithstanding Mr Bird QC's cross-examination of Mr Collins by reference to the Addendum ES it should be noted that Mr Sherman himself accepted in cross-examination that: (i) App 2 of Mr Collins's proof was unchallenged and was the best evidence of the economic benefits; (ii) that these benefits weighed in favour of the grant of planning permission; and (iii) that these benefits carried "*considerable weight*"⁶¹⁶. Moreover, Mr Kiely also accepted in terms that the development "*will generate economic benefits*"⁶¹⁷. The line of cross-examination pursued by Mr Bird QC by reference to the ES Addendum was all the more surprising given that the SoCG (CD12.3) agreed the economic benefits⁶¹⁸.
395. Because these benefits have very largely gone unchallenged less attention has been given to them than other issues during the inquiry. This should not detract from the very significant benefits that there would be. These benefits should clearly be given great weight.
396. The regional, if not national, significance of the economic benefits of the Appeal Scheme are further supported by the Enterprise M3 Housing Evidence Study, September 2014 conducted by Regeneris

⁶⁰⁹ Collins App 2, Table 4.3.

⁶¹⁰ *Ibid.*

⁶¹¹ Collins App 2 Tables 4.4 and 4.5.

⁶¹² Collins App 2 Table 5.1.

⁶¹³ *Ibid.*

⁶¹⁴ *Ibid.*

⁶¹⁵ *Ibid.*

⁶¹⁶ Mr Sherman's proof at para. 4.20.

⁶¹⁷ Mr Kiely's proof at para 5.15.

⁶¹⁸ See para. 6.7.

Consulting for the LEP (CD13.1). This study is considered in detail in the Planning Statement (CD2.15) and is also considered in Mr Sherman's proof (para 4.19) and was discussed in re-examination by Mr Collins. The study was produced following a number of local businesses expressing the importance of housing for their workforce and how the lack of housing affordable to their workforce was affecting their businesses and their ability to retain and draw in the right talent. It specifically refers to the Appeal Site as a large and important site in terms of housing delivery⁶¹⁹.

397. On retail matters GBC has withdrawn its reason for refusal. Mr Collins App 4 assesses the commercial floorspace proposed and it is this which resulted in GBC's change of position. No party other than RPC has tried to argue retail harm. This has no merit. There is no such harm and indeed the new retail will be a benefit⁶²⁰.

Other consideration 5) - upgrades to local infrastructure

398. The benefits in this regard that go wider than mere mitigation are set out in paras. 12.1 and 12.2 of Mr McKay's proof:

398.1. The commitment of the Appellant to the preferred A3 mitigation scheme of new North-facing A3 slip roads at Burnt Common lead to overall reductions in traffic on many local roads including within Ripley as well as improved conditions on the SRN by reducing traffic joining the A3 at one of its most congested and substandard locations;

398.2. The Appellant's cycle route proposal to Byfleet provides a publicly available enhancement to local cycle facilities for use by all cyclists;

398.3. The bus service provision provides additional transport options for the local communities through which they pass, thereby bringing additional potential retail and commercial expenditure and potential employees to these communities;

⁶¹⁹ The Study sets out that there is *"a strong economic case to support the delivery of additional homes beyond that which is proposed"* (p. 4). The economic benefits are set out in the report and include:

- Maintaining a diverse population base, which in turn supports labour mobility and recruitment, the availability of sufficient public and private services as well as expanding the local income base which in turn supports the growth of town centres
- Supporting local authority income through the New Homes Bonus, a scheme introduced to incentivise local authorities to increase the delivery of new homes
- Meeting an identified need for housing to support future demographic projections and to address current issues such as rising waiting lists for housing
- Addressing issues related to housing such as affordability issues (which can in turn impact on the functioning of a healthy economy) and addressing social issues
- A comparison of the housing scenarios for the Enterprise M3 LEP area suggests that there are significant variations in terms of the level of benefits which will result under each option. The economic benefits to the Enterprise M3 area are likely to be greatest under the employment scenario and lowest if local authorities continue with proposals to deliver their housing targets. This needs to be recognised in the context of the NPPF which sets out a presumption in favour of sustainable development.

⁶²⁰ See Collins App 4 section 8 p 25.

- 398.4. The commitment to substantial additional financial contributions towards promoting cycling and road safety measures will benefit all road users;
- 398.5. The capacity improvements to M25 Junction 10 in the absence of the RIS scheme would extend the life of Junction 10 by reducing queuing on the approaches and thus be of benefit to the users of the SRN in terms of improved and more reliable journey times and increased safety.
399. In relation to the delivery of Burnt Common slips the economic analysis is set out in Transport Technical Note 1 (ID4) and has been wholly unchallenged. The benefits are dealt with in section 9 and have been assessed in two ways:
- 399.1. Using the TUBA tool: This uses the outputs from the SINTRAM model to estimate economic changes related to the difference between user costs in Scenario A (no scheme and no Wisley Airfield development) compared with Scenario C3 (with scheme and with Wisley Airfield development); and
- 399.2. In addition the benefits to the local economy that would be lost if the Burnt Common slips were not constructed have been assessed: This takes the stand-point that the Burnt Common slips are a prerequisite to realising the benefits not only of the Wisley Airfield proposed new sustainable settlement, but of the eGBLP as a whole, given the position expressed in the Strategic Highway Assessment as part of the eGBLP evidence base that the slips are included in the Scenario 5 infrastructure required for the eGBLP⁶²¹. The assessment suggests that the loss from not providing the slips may be in the order of £250m⁶²² GVA per annum.
400. Mr Collins's evidence was that these benefits should be given significant weight. Looking at them it is impossible to suggest otherwise. The support for the mitigation package, including Burnt Common slips, from SCC is also of importance (ID22).

Other consideration 6) - housing

401. The *Doncaster* case ([2016] EWHC 2876 (Admin)) referred to in the Appellant's closing makes clear (per Gilbert J. at para. 69) that national policy "*regards it as unlikely that unmet need ... are to be enough to overcome the*

⁶²¹ In this regard para. 32 of GBC's closing is of importance as it recognizes Burnt Common slips is "*critical to the delivery of growth within the Borough and without them there is no realistic prospect of it being able to meet its identified needs*"; it is also noted that no one has identified an alternative.

⁶²² The total additional direct and indirect operational jobs generated by the eGBLP is likely to be in the order of 10,745 jobs. An additional 1,286 jobs per annum in construction (direct and indirect jobs) will be generated. Based upon the GBLP full delivery of 12,426 homes, 39,900 sqm of office space, 39,000 sqm of employment land, and 41,000 sqm of retail floorspace across the 19 year plan period, it is estimated the potential economic impact to include: 1,286 construction jobs per annum and a total of 10,745 operational jobs; £604 million GVA per annum; £4.2 million in business rates, and £18.6 million in Council Tax revenue per annum. These sums constitute significant funding which can be used to support public services. Whilst it is not suggested that these benefits would be completely lost to the local community as a consequence of not constructing the new slips at Burnt Common, the further delays resulting from the necessary changes to the eGBLP strategy would incur a considerable loss particularly over the next 5-10 years.

hurdle posed by Green Belt policy. It does not say that either or both could not do so". The Court thus recognises that depending on the facts housing need alone *could* constitute VSC. A submission that this appeal is bound to fail is thus wholly erroneous and based on a flawed understanding of national policy as interpreted by the Courts. Moreover, in the *Lee Valley* case (CD11.17) Ouseley J. said at para. 68 "[a] *shortfall in housing land supply can, as a matter of policy, be a very special circumstance*". Of course, the Appellant here does not rely on housing need alone; it is one of a number of other considerations which together give rise to VSC. The Judge in the *Lee Valley* case went on to add that "*there is nothing unlawful in a planning decision-maker] treating it [housing need] as one of a number of very special circumstances*"⁶²³.

402. The housing need situation in this Borough really is critical. The key points are as follows.

403. First, there is no real dispute that this is a benefit which carries significant weight. Certainly that is Mr Collins view, but Mr Sherman's proof similarly says that this is a matter to which significant weight must be given⁶²⁴. Moreover, Mr Kiely for WAG says that the absence of a 5YLS and the "*Council's continued underperformance in this regard carries considerable weight in the decision making process*"⁶²⁵.

404. Second, as noted above there is no dispute that GBC does not have a 5YLS⁶²⁶; it has a 2.36 YLS⁶²⁷. This is a "*significant shortfall*" as against the NPPF requirement for a 5YLS⁶²⁸. Moreover, as Mr Collins expanded in his evidence-in-chief GBC has not had a 5YLS for many, many years. It almost goes without saying that GBC is a 20% authority that is to say an authority with a persistent record of under-delivery of housing⁶²⁹⁶³⁰. It really is a woeful record; and as we will see the statistics only get worse the more one looks at them. The Appeal Scheme could contribute up to 210 homes⁶³¹ in the 5YLS period. Mr Bird QC in cross-examination of Mr Collins said "*only 210*" or "*only 4 months supply*" but as Mr Collins retorted that is about the same amount of housing as GBC has managed to deliver in any year since 2009/2010.

⁶²³ That latter point articulated by Ouseley J is also supported by the Court of Appeal's decision in *Smech* (CD11.2) and the Secretary of State in the Perrybrook appeal.

⁶²⁴ See Mr Sherman's proof paras. 4.24 and 4.26.

⁶²⁵ Mr Kiely's proof at para. 5.18.

⁶²⁶ WAG's closing (para. 28) acknowledges for the first time that GBC "*does not have a 5YHLS and has to work on delivering housing in the future ..*". The need - which is acute - though exists now.

⁶²⁷ SoCG CD12.3 para 6.14.

⁶²⁸ As was held by the Inspector in the recent appeal decision in CD10.7: see paras. 10 and 35; and as agreed in XX by Mr Sherman.

⁶²⁹ SoCG CD12.3 para. 6.16.

⁶³⁰ Indeed as is shown in CD13.59 (p. 3) in the period April 2015 to April 2017 of 4,338 homes for which planning permission was applied for GBC refused/failed to determine permission in respect of 3,670; of which 3,056 were allocated in the eGBLP. It granted permission for just 668 homes.

⁶³¹ Mr Sherman suggests 150 in the 5YLS. WAG in closing (para. 28c) suggested that the Appeal Scheme might not deliver any housing in the 5YLS; that is refuted. There is nothing in the conditions and proposed phasing that supports that view; nor is there any other evidence to support it.

405. Third, the 5YLS position is just the beginning. Para. 47 of the NPPF requires local planning authorities “to identify a supply of specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15”. As is explained in Mr Collins’s proof at paras. 3.43 and 3.44 recent appeal decisions have emphasised the importance of this requirement in granting permissions even in areas with a 5YLS. Thus in an Appeal at Money Hill (CD 10.3) the Secretary of State at para. 14 of his decision agreed with his Planning Inspector that “local planning authorities must also plan for housing supply beyond the five year period and, as set out in para. 47 of the Framework, identify a supply of Sites for 6-10 years and where possible, 11-15 years” and that “there is also a current national imperative to boost the supply of housing”. The Inspector and Secretary of State attached significant weight to provision of market and affordable housing. There is no doubt that the Appeal Scheme makes a crucial contribution to the planned housing supply in the 6 – 15 year period: see Mr Collins’s proof at para. 11.22⁶³²; and see also Mr Collins’s proof fig 11.3 showing how the Appeal Site is likely to deliver more quickly than other large sites in the eGBLP.
406. Fourth, GBC has had no housing requirement in Development Plan policy since 2006. Some five years ago GBC set an interim target of 322 units per annum. This was a modest target and was never tested⁶³³. The SHMA update assesses the need as being 654 homes per annum. In the absence of any housing requirement the PPG clearly advises the first thing to be looked at is the SHMA. The SHMA is the best evidence there is of the housing needs in this Borough. The arguments against giving this weight advanced by Mr Miles were very weak. Absent a housing requirement case-law is clear (see *Hunston* CD11.11⁶³⁴) that on a s. 78 appeal the decision-maker must assess and have regard to the unconstrained FOAN. The best most up-to-date evidence of the FOAN comes from the SHMA. This was undertaken in 2015 and updated for Guildford in 2017. Suggestions by Mr Miles that housing need was a matter for the eGBLP examination is just bizarre. The level of housing need is an issue on this appeal. The case-law is clear that a view will need to be taken on this on this appeal. It is also relevant in terms of weight that the SHMA has been examined in the Waverley examination⁶³⁵. But even if for some inexplicable reason the SHMA were set aside one falls back to the household projections⁶³⁶ which gives an annual need of 538 dwellings per annum in Guildford. On the CLG standardised methodology it is 789. Mr Miles sought to rely on the Neil MacDonald report (CD1.11). The weight to be given to this evidence is limited given that the authors were not called as witnesses but the conclusion of the report is a need of 510 homes per annum. What is key is that whatever one assesses the need as being: 322, 510, 538, 654 or 738 looking at table 11.1 of Mr Collins’s proof the fact is that since 2012/13 GBC has met none of these targets save for the interim target of 322 in 2016/17. It is not a record to be proud of. As

⁶³² Agreed in XX by Mr Sherman; and see the trajectory in the LAA CD8.25 p 8.

⁶³³ Mr Collins’s proof at para 11.8.

⁶³⁴ Mr Miles in XX said he had never heard of the case.

⁶³⁵ See Mr Collins’s rebuttal; and the housing requirement raised to reflect the unmet needs of Woking.

⁶³⁶ At one point Mr Miles in XX sought to question CLG’s household projections – that was a frankly hopeless line of defence.

against this sorry tale the Appeal Scheme provides for 18% of the housing allocations in the eGBLP and 16% of the housing when judged against the FOAN in the SHMA⁶³⁷.

407. Fifth, Mr Collins's oral evidence dealt with the indicative mix and how this reflected needs.

408. Given all of this there is little wonder Mr Sherman accepted that significant weight should be given to the housing to be provided by the Appeal Scheme.

409. In addition the Appeal Scheme would make a significant contribution to meeting traveller and gypsy needs: 13% of these need: see ID91⁶³⁸. The OR (CD6.1) indicated that this was a significant contribution and should be given significant weight⁶³⁹.

410. Finally, the Appeal Scheme provides Wisley can deliver 60 much needed homes specifically for the elderly which adds some more weight⁶⁴⁰.

Other consideration 7) - affordable housing

411. There is agreement again between GBC and the Appellant that this is a matter that should be given significant weight⁶⁴¹. There is no serious dispute by any of the parties as to the acute needs there are.

412. The position is as follows:

413. First, based on the SHMA Addendum (CD8.23) there are 517 households per year in Guildford which require support for their housing needs, and thus are eligible for affordable housing. It is also recorded that lower quartile house prices in Guildford are 11.5 times lower quartile earnings. This is marginally below the other two HMA authorities, but is substantially above the national average. GBC's closing⁶⁴² recognises that there is "*a pressing need for affordable housing*" in the Borough.

414. Second, only 485 affordable homes have been built in Guildford Borough since 2009, with only 17 in 2013/14⁶⁴³. This is c. 60 per annum.

⁶³⁷ See Mr Collins's proof at para, 11.21 accepted in XX by Mr Sherman.

⁶³⁸ This provides further detail on the design and planning for the gypsy and traveler site.

⁶³⁹ See paras. 10.5.12 and 10.5.14; and accepted by Mr Sherman in XX.

⁶⁴⁰ See the OR, CD6.1, para. 10.5.15 and Mr Sherman's answers in XX.

⁶⁴¹ See Mr Sherman's proof at para. 4.27 and his answers in XX.

⁶⁴² Para. 34.

⁶⁴³ See Mr Collins's proof at para. 3.38.

415. Third, the Guildford Housing Strategy – Statistical Update (2015-16) (CD 8.58) sets out that as of 1 April 2016 there were 2,768 households on the affordable housing register in Guildford Borough of which 2,203 were in the top priority bands (A-C)⁶⁴⁴. The housing situation is exacerbated by the time it takes for families and individuals to be re-housed, which has been growing since 2009 for 1 and 2 bedroomed properties, and which now takes over four years⁶⁴⁵.
416. Fourth, there is a wider Surrey issue, thus the Homes for Surrey campaign’s website outlines that according to CLG, the number of families on the local authority waiting lists in Surrey is 14,333. In contrast, housing associations and local councils in Surrey built just 850 homes in 2015/16⁶⁴⁶.
417. Fifth, it is a “key ambition” of GBC to increase the supply of affordable housing⁶⁴⁷; it is a key corporate ambition.
418. Sixth, the lack of affordable housing has real effects on real people in term of health and well-being⁶⁴⁸.
419. Seventh, the Appeal Scheme will deliver 800 affordable houses, more than GBC has delivered since 2009/10 across the whole of the Borough.
420. Eighth, GBC in the SoCG (CD12.3, p. 26) recognise that the provision of affordable housing satisfies the social dimension of sustainability.
421. For all these reasons this matter constitutes a very significant material consideration in favour of the Appeal Scheme⁶⁴⁹.

Other consideration 8) – education provision

422. In relation to education provision the Appellant made the following points:

423. First, the SoCG (CD12.3) states that “[t]he All Through School is proposed as mitigation, but also has the potential to serve the wider secondary education needs arising (and hence is part of the proposal)” and that “[t]he 4 forms of entry

⁶⁴⁴ See Mr Collins’s proof at para.14.8 and Fig 14.1

⁶⁴⁵ See Mr Collins’s proof at para. 14.10 and fig. 14.2.

⁶⁴⁶ *Ibid* para. 11.4.

⁶⁴⁷ See CD8.11; Mr Sherman’s answers in XX and Mr Collins’s oral evidence.

⁶⁴⁸ Mr Collins’s proof at paras. 14.11 – 14.12

⁶⁴⁹ It should be noted that in the Perrybrook decision the Secretary of State said “the provision for 40% affordable homes, equating to 600 units, makes a valuable contribution in the context of an identified need for 1600 affordable homes across the Borough (IR15.49) and that the wide range of tenure and dwelling types in this large scale proposal will make a valuable contribution to local housing (IR15.50). Overall, the Secretary of State attaches considerable weight to the housing benefits of the scheme.”: see DL18.

secondary school element will, in part, cater for the needs for the eastern part of the Borough (circa 20% of the needs identified in the GBLP plan period).⁶⁵⁰

424. Second, the OR (CD6.1) says *“the provision of a school of greater capacity could count significantly in favour of the scheme⁶⁵¹.”* That is what via separate section 106 agreement (**“the education section 106 agreement”**) with GBC will now be delivered by the Appellant; the Appellant is thus delivering a school that will cater for more than just the needs generated by the Appeal Scheme.
425. Third, a 4FE school will thus meet identified future needs within the Borough and provide Guildford Borough with the necessary Site for inclusion in the Local Plan⁶⁵². The need evidence is set out in detail in the proof of Mr Collins at paras. 20.69 – 20.76 and was not the subject of any challenge in cross-examination.
426. Fourth, the provision of an *“All Through School”* on the Appeal Site:
- 426.1. is in accordance with the description of the development applied for;
 - 426.2. is compliant with policy A35 of the eGBLP⁶⁵³;
 - 426.3. is supported by the evidence base for the eGBLP: see e.g. SA⁶⁵⁴, which talks about a school on the Appeal site *“provid[ing] for the additional educational need arising in the eastern part of the borough”* and also the Housing Topic Paper⁶⁵⁵;
 - 426.4. will increase the choice of secondary school places available, as supported by the NPPF (para. 72) (CD 9.1) and will reduce pressure on other surrounding secondary schools⁶⁵⁶;
 - 426.5. is important to the sustainability and place-making⁶⁵⁷ of the new settlement;
 - 426.6. has been the subject of an expression of interest from a leading educational provider⁶⁵⁸;
 - 426.7. creates a wider benefit going beyond mitigation the impacts of the Appeal Scheme and therefore may contribute towards VSC.
427. Fifth, it is regrettable that the education section 106 agreement could not be agreed with SCC. The need for the school to be provided is clearly evidenced and SCC did not produce any evidence to the inquiry to suggest that the school was not needed. It is important to note that SCC is not opposed in principle to the

⁶⁵⁰ Para. 6.22.

⁶⁵¹ See para. 10.15.3.

⁶⁵² See Mr Collins’s proof at paras. 3.21. and 3.28.

⁶⁵³ See Mr Collins’s table 7.4.

⁶⁵⁴ CD8.31 at para. 10.4.4

⁶⁵⁵ CD 8.29 para. 4.138; WAG’s closing (see para. 76) provides no evidence to support its case.

⁶⁵⁶ Mr Collins’s proof at para 20.8.

⁶⁵⁷ See Mr Bradley’s proof at paras. 4.2.1.2, 4.2.1.4, 4.2.2.3, 4.3.4.2, 4.3.4.3, 4.3.4.6, 4.3.6 and 6.4.1.3,

⁶⁵⁸ See Mr Collins’s proof App. 7.

provision of a school on the Appeal Site⁶⁵⁹. The concern raised was in relation the timing of the provision, and whether depending on timing there might be an overprovision of school places. It wants flexibility; but factors going beyond just education (e.g.) place-making etc. justify the provision of the school on-site.

Other consideration 9) - reuse of brownfield land, including derelict runway

428. The key points in relation to this matter are as follows.

429. First, as a matter of principle it is well-established that the fact that land in the Green Belt is PDL/brownfield land may constitute, or be part of a case of, VSC. Thus in the case of *Smech* (CD11.20) the Court of Appeal upheld a decision of a local planning authority to grant planning permission for scheme for a mixed use development in the Green Belt where the VSC relied on included that the “*site is a previously developed site*” along with, *inter alia*, “[t]he contribution this site will make to housing delivery to meet the housing need and ensure a 5 year housing land supply”.

430. Second, the facts as regards the PDL nature of part of the Appeal Site are beyond dispute⁶⁶⁰:

430.1. The proportion of the Site which is PDL is agreed in the SoCG (CD12.3, para. 6.1): c. 74 acres (29.9 hectares);

430.2. This constitutes 26% of the total Appeal Site: see Mr Collins’s rebuttal at para. 2.2 and accepted by Mr Sherman in cross-examination;

430.3. The Appeal Site is the largest area of PDL in the Green Belt within the GBC area: accepted by Mr Sherman in cross-examination;

430.4. The Secretary of State in the IVC appeal decision in respect of the Appeal Site held that the concrete standing on the Appeal Site constituted PDL: see CD10.4 para. 9 of the Decision Letter and paras. 4, 27, 42, 181 and 201 of the Inspector Report. Moreover, and importantly, both the Inspector and the Secretary of State both held that the PDL nature of the Appeal Site was part of the VSC justifying the grant of permission: see the Secretary of State’s decision letter at paras. 11 and 22 and the Inspector’s Report at para. 202;

430.5. The overall condition of the PDL areas is low in terms of landscape features⁶⁶¹⁶⁶².

⁶⁵⁹ See the letter in Mr Collins’s proof App. 6.

⁶⁶⁰ Cllr Cross sought to argue that Wisley Airfield did not contain PDL because it fell into the exception to the definition of PDL in the NPPF namely “*where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time*”. It is clear though that the runway and other fixed surface has not blended in to the landscape: see e.g. Mr Collins’s proof at pp. 26 – 27. This is a hopeless argument and flat contrary to the Secretary of State’s IVC decision in respect of the Appeal Site. Moreover, suggestions made by Cllr Cross that what can be seen in the photographs is not hardstanding but sileage are without any merit as the site visit will show.

⁶⁶¹ See Mr Collins’s rebuttal at para 3.5.

⁶⁶² See Mr Davies’ proof at para. 4.131.

431. Third, the significance of part of the Appeal Site being PDL is that the NPPF encourages the re-use of such land, see e.g. para 17 (which recognises as a core principle *“encourag[ing] the effective use of land by reusing land that has been previously developed (brownfield land)”* and 111 (*“[p]lanning policies and decisions should encourage the effective use of land by re-using land that has been previously developed (brownfield land)”*)⁶⁶³.
432. Fourth, the consultation on proposed changes to the NPPF suggests even stronger support is emerging in national policy for the re-use of PDL: see the relevant passages set out in Mr Collins’s proof at paras. 8.87 – 8.90⁶⁶⁴; and see also in this regard the similar theme in the Housing White Paper⁶⁶⁵.
433. The development of the Appeal Site is thus in line with the imperative of the NPPF, and also emerging national policy⁶⁶⁶, of seeking to ensure the use of brownfield land for housing. The proposed amendments to the NPPF to make clear in national policy that *“substantial weight”* should be given to the benefits of developing brownfield land for housing should be considered in relation to the Appeal Scheme, particularly in the context of Guildford which contains a large amount of greenfield land⁶⁶⁷.
434. Fifth, the evidence base for the eGBLP relies on the PDL nature of part of the Appeal Site as part of the justification for the release of the site from the Green Belt and its allocation for housing: see for example the SA (CD8.31) at p 140 which notes that a significant proportion of the Wisley Airfield Site is PDL⁶⁶⁸, and see also in the GBCS (CD8.8) para. 24.76 and the overall conclusion which states *“[d]evelopment of the site would not conflict with the majority of Green Belt purposes, indicating it does not lie in the more sensitive parts of the Green Belt in this respect. When combined with the previously developed nature of much of the site, and partly enclosed nature of it, this is considered to justify the loss in openness that will inevitably occur with this site, or any other site on which a new settlement is introduced”*. The housing topic paper (2017) (CD8.29) at para 4.32 notes that GBC’s *“spatial hierarchy identifies a brownfield first policy including, where appropriate, previously developed land in the Green Belt”*; and goes on to state (emphasis added):

“New settlement at the former Wisley airfield

⁶⁶³ In the context of the Green Belt note also para 89 of the NPPF which while not directly relevant has some bearing on the issue of reuse of PDL: see Mr Collins’s proof at para 7.67.

⁶⁶⁴ Para. 50 of the consultation document states that the Government are *“firmly committed to making sure the best possible use is made of all brownfield land that is suitable for housing, to reduce the need as far as possible to release other land. This could potentially include some brownfield land that sits within the Green Belt that already has buildings or structures and has previously been developed.”* Para. 53 continues *“[w]e propose to change policy to support the regeneration of previously developed brownfield sites in the Green Belt by allowing them to be developed in the same way as other brownfield land”*.

⁶⁶⁵ See the relevant passages in Mr Collins’s proof at paras. 8.110; 8.113 -8.114.

⁶⁶⁶ See Mr Collins’s proof at para. 20.93 *“Government policy attracts significant support to the re-use of previously developed land. This includes the roll out of Brownfield Land Registers, and focus on the sustainable re-use of surplus public-sector land”*.

⁶⁶⁷ See Mr Davies’ rebuttal proof App. 1 Tab 2.

⁶⁶⁸ See also Mr Collins’s proof at para. 7.43.

4.136 This site is located in a yellow land parcel. Given the partly brownfield element, the sustainability merits of strategic sites due to the infrastructure that can be provided alongside them, the extent to which it can help deliver the homes needed and the NPPF support given to this development option, this site is also included as an allocation in the Proposed Submission Local Plan.”

435. Sixth, the appeal proposal also involves the reuse of materials something which itself should attract some weight as Mr Sherman accepted in cross-examination⁶⁶⁹.

436. Seventh, whilst the IVC facility is not a "fall back" because the Appellant does not intend to build it out (above), it nevertheless benefits from an implemented and extant planning permission. As Mr Davies explains at para. 5.2 of his proof, the IVC facility comprises a composting building measuring 160m x 70m x 11.7m to ridge (approximately 120,550 sq ft) with stacks standing 9.2m above the ridge.⁶⁷⁰ The grant of planning permission for the IVC facility demonstrates that development of that scale on the Appeal Site is accepted by the Secretary of State.

437. In conclusion, it is submitted, that the reuse of a substantial area of PDL proposed should carry significant weight in the planning balance and that this makes a substantial contribution towards establishing VSC. This approach reflects the previous approach of the Secretary of State in relation to the IVC appeal on the Appeal Site.

Other consideration 10) - creation of new publicly accessible greenspaces

438. The Appeal Site consists of predominately private land with the only public access being on the rights of way. This is one of the key reasons that the ACV application failed⁶⁷¹.

439. As recorded in paras. 3.45 and 3.46 of Mr Collins’s proof the Appeal Scheme will provide: approximately 9.51 (ha) of formal playing field space (7 ha of sports pitches and 2.51 ha non-pitch sports provision) and 6.8 ha of children’s playing space (with 1.3ha of equipped playing space and 5.5ha of informal playing space). It will also provide extensive proposals for c. 50 ha of SANG. All of this is new publicly available open space⁶⁷².

440. Moreover, as noted above the SANG provision is above standard; as is the playspace⁶⁷³.

⁶⁶⁹ See Mr Davies’ rebuttal at para. 2.14 which in considering the local landscape character area says “[w]hat is unique ... to E2 is that it contains approximately 30ha of previously developed land that has already lost many of its key characteristics, some of which could be reinstated through these proposals”. And note also his proof at para. 8.27 referring to the creation of new public open spaces that will “[r]eplace and utilise approximately 30ha of previously developed land that is an eyesore, into beautiful open spaces”.

⁶⁷⁰ See also CD4.10 at para. 21 of the Inspector's report.

⁶⁷¹ CD13.2 and 13.3.

⁶⁷² The recreational benefits of the appeal scheme are also covered in the proof of Mr Davies’ proof pp. 48 – 50.

⁶⁷³ See OR CD6.1, para 10.14.4.

441. Given the above the SoCG recognises “[t]he Proposed Development would open up land which is presently private and would allow public access to large parts of the site for recreational opportunities. The only publicly accessible parts of the site at present are the identified rights of way”⁶⁷⁴.

442. This provides additional benefit which must be weighed in the balance. In this regard the OR notes⁶⁷⁵ that “according to paragraph 81 of the NPPF, enhancement of the beneficial use of Green Belt should be sought. Examples given are looking for opportunities to provide access and for outdoor sport and recreation ... The development includes the creation of a large area of public open space ...”.

Other consideration 11) - landscape and biodiversity enhancements⁶⁷⁶

443. **Landscape:** Mr Davies’ evidence is that overall the landscape benefits of the appeal proposal outweigh the harms; see especially his Table 4⁶⁷⁷. This view has support from Mr Sherman whose rebuttal says that GBC “accept that the landscape enhancements to the site outweigh the landscape character impacts of the scheme⁶⁷⁸.” This is clearly a benefit⁶⁷⁹.

444. **Ecology:** the evidence of Dr Brookbank was that there will be a net gain in ecological terms on-site from the Appeal Scheme: see her proof at table 13, p 156 and figure 11. Mr Baker did not challenge this. While some third parties argued there would be on-site ecological harm this was not supported by any expert evidence. The SoCG agrees that the Appeal Scheme “has the potential to provide ecological improvements over the present baseline situation. This is on the basis of habitat improvement across the Site including an area of some 55 hectares which could be managed for biodiversity purposes, in addition to approximately 3.2km of species rich hedgerow⁶⁸⁰.” This is also clearly a benefit.

Other consideration 12) - the sustainability of the proposals, particularly the provision made for ongoing management of the Appeal Site through the WACT and which includes, SANG management, SAMM plus provision, bus provision and community asset management

445. The Appeal Scheme is fully compliant with para. 7 of the NPPF. Para. 7 identifies that there are three dimensions to sustainable development: economic, social and environmental. In terms of an economic role the planning system should contribute to building a strong, responsive and competitive economy by ensuring

⁶⁷⁴ CD12.3 p 27; the public open space created will be open to the public in general and accessible by those in the east of the Borough, and it is larger than Stoke Park in Guildford.

⁶⁷⁵ CD6.1 para. 10.4.13.

⁶⁷⁶ CD6.1 para. 6.20; and Mr Sherman’s answers in XX; the SoCG also notes “here are environmental and ecological benefits arising from the extensive open spaces and mitigation measures associated with the proposed development. which may benefit local environment”.

⁶⁷⁷ Proof p. 50.

⁶⁷⁸ See para. 10.

⁶⁷⁹ Mr Sherman’s rebuttal

that sufficient land of the right type is available in the right places and at the right time to support growth and innovation. A social role would support strong, vibrant and healthy communities by supplying housing required to meet the needs of present and future generations, and an environmental role that contributes to protecting and enhancing the natural, built and historic environment.

446. The sustainability credentials of the Appeal Scheme are considered in detail above in relation to:
- 446.1. The way in which sustainability was key to the design of the Appeal Scheme under Main Issue 8: character and appearance;
 - 446.2. Transport sustainability, including walkability, cycling and public transport under Main Issue 5;
 - 446.3. The SANG under Main Issue 2;
 - 446.4. Landscape and biodiversity enhancements under VSC Factor 11) above;
 - 446.5. In relation to social sustainability and
 - 446.5.1. the provision of affordable housing under VSC Factor 7) above;
 - 446.5.2. the creation of new publicly accessible greenspace under VSC Factor 10;
 - 446.6. In terms of the economic aspect of sustainable development under SVC Factors 3) and 4);
 - 446.7. The WACT.
447. The detailed submissions on each of these aspects of the case are not repeated here but these matters are prayed in aid of an overarching submission which is made here namely that the Appeal Scheme would result in sustainable development as defined by the NPPF and this is one of a number of VSC that justifies the grant of planning permission. The Appellants thus very deliberately describes the Appeal Scheme as being for “*a New Sustainable Settlement*”⁶⁸¹.
448. Importantly, GBC and the Appellant are agreed, see the SoCG (CD12.3, pp. 26 - 27), a number of “*Key Benefits*” relevant to the three dimensions of sustainable development. Thus:
- 448.1. Economic Role: the delivery of a number of direct and indirect jobs; gross additional household spending of many millions of pounds per annum, additional employment space and the delivery of significant infrastructure improvements;
 - 448.2. Social Role: provision of on-site services and amenities and infrastructure (including schools, open space, healthcare facilities etc.) associated with a sustainable new settlement; the very significant provision of affordable housing; and
 - 448.3. Environmental Role: numerous ecological benefits onsite and the opening up of private land for recreational opportunities.

⁶⁸¹ See e.g. Mr Collins’s proof at para. 1, p. 5 in the Core Case of the Appellant and indeed throughout the Appellant’s proofs.

449. It must also be recalled here that the eGBLP has subjected the Appeal Site to a series of SAs⁶⁸² which have provided a key part of the evidence base for the proposed allocation in what is now draft Policy A35. Further the eGBLP evidence base contains a number of other assessments of the sustainability credentials of the Appeal Site including, as discussed above, the GBCS produced by Pegasus for GBC.

Other consideration 13) – flood risk mitigation at Ockham Interchange

450. The delivery of the Site accesses shown on plan (ref. 0934-SK-005F CD 1.13.5) will via detailed design stages required under the Highways Act, enable existing flood risk issues on Ockham Lane to be alleviated, providing additional benefits to the existing road users. The report prepared by WSP included at App. 9 to Mr Collins’s proof the sets out the associated mitigation and benefits associated with the delivery of highways improvements at Ockham Interchange. This will clearly have associated benefits to existing road users, and is therefore a benefit. Indeed, one third party, Mrs Boothby referred in her statement to existing flooding and said this was a real issue for local people. The Appeal Scheme deals with this.

Other consideration 14) – local policing

451. The financial provision for the police also provides some benefit⁶⁸³. The Appeal Site is located within the Send, Ripley, Wisley, Ockham, The Horsleys, The Clandons & Effingham Neighbourhood Policing Area. Following the closure of Ripley police station, this area is presently served from Guildford Police Station. Surrey Police’s representation of February 2016 seeks a number of measures, all included in the section 106. This includes resourcing for policing/ staff, a police car and also space in the Community Building on the Appeal Site. The latter may be seen as a wider benefit in terms of provision of extra local police facilities.

3.12.4. Conclusions on Main Issue 12

452. It is the Appellant’s case that the material considerations in support of the Appeal Scheme clearly outweigh the totality of the harm that would result from the scheme. The requisite VSC are thus present.

4. Overall conclusion

453. In overall conclusion the Appeal Scheme is a “*plan led*” form of development, “*full square*”⁶⁸⁴ compliant with Policy A35 of the eGBLP which is at an advanced stage; and should be given significant weight. The Appeal Scheme is key to the overall spatial development strategy of the eGBLP and is strongly supported by the

⁶⁸² See the summary in Mr Collins’s proof at paras. 7.30 – 7.43; and see CD8.31.

⁶⁸³ See Mr Collins’s proof p. 215 and his oral evidence.

⁶⁸⁴ To use Mr Collins’s language in his oral evidence.

eGBLP evidence base – which is extensive. It is a site that has been identified for release from the Green Belt, and for a new sustainable settlement in successive versions of the eGBLP going back to 2013. It is a unique site, containing the largest amount of PDL in the borough’s Green Belt, and there is no viable alternative site for a new sustainable settlement. Any harm resulting from the Appeal Scheme in addition to “*definitional*” Green Belt harm would be limited. The totality of harm that would result from the Appeal Scheme is very clearly outweighed by the considerable benefits that the Appeal Scheme would secure (which include significant housing, affordable housing, job creation, economic growth, upgrades to local infrastructure, education, new public open space, landscape and biodiversity enhancements) together with the other material considerations that support the Appeal Scheme. There are therefore VSC that justify approving the Appeal Scheme and we ask that in due course planning permission be granted.

JAMES MAURICI Q.C.
HEATHER SARGENT

LANDMARK CHAMBERS
180 FLEET STREET
LONDON
EC4A 2HG
Friday, 20 October 2017

APP/Y3615/W/16/3159894
LAND AT WISLEY AIRFIELD
HATCH LANE, OCKHAM GU23 6NU

CLOSING STATEMENT ON BEHALF OF
THE APPELLANT

HERBERT SMITH FREEHILLS LLP
Exchange House
Primrose Street
London EC2A 2EG

9th November 2017

THE COUNCIL OF THE BOROUGH OF GUILDFORD

and

SURREY COUNTY COUNCIL

and

WISLEY PROPERTY INVESTMENTS LIMITED

**DEED OF AGREEMENT UNDER SECTION 106 OF THE TOWN AND COUNTRY
PLANNING ACT 1990 AND SECTION 278 OF THE HIGHWAYS ACT 1980**

relating to

Land at Wisley Airfield, Hatch Lane, Ockham, GU23 6NU

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THIS AGREEMENT is made the 9th day of November 2017

BETWEEN:

- 1) **THE COUNCIL OF THE BOROUGH OF GUILDFORD** the principal administrative office of which is at Millmead House, Millmead, Guildford, Surrey, GU2 4BB (the "Council")
- 2) **SURREY COUNTY COUNCIL** the principal administrative office of which is at County Hall, Penrhyn Road, Kingston-upon-Thames, KT1 2DN (the "County Council")
- 3) **WISLEY PROPERTY INVESTMENTS LIMITED** (Company Registration Number MC-272889) of PO Box 309, Ugland House, Grand Cayman, KY1-1104, Cayman Islands (the "Owner")

BACKGROUND

- A. The Council is the local planning authority for the purposes of the 1990 Act for the area within which the Site is situated.
- B. The County Council is the local highway authority, local education authority and a local planning authority for the area within which the Site is situated.
- C. The Owner has the estate or interest in the Site described in the First Schedule.
- D. The Application was submitted to the Council on 16 December 2014 and was refused by the Council on 8 April 2016 and is now the subject of the Appeal.
- E. The Site is within the 400m – 5km zone around the Thames Basin Heaths Special Protection Area and so requires impact avoidance and mitigation measures.
- F. The Council has adopted the Strategy.
- G. The Council and the County Council consider that the planning obligations set out in this Deed are required if the Planning Permission is granted.
- H. The parties to this Deed have accordingly agreed to enter into this Deed in order to secure the planning obligations contained in this Deed.

NOW THIS DEED WITNESSES AS FOLLOWS:

1. DEFINITIONS

- 1.1 Unless the context otherwise requires, where in this Deed the following defined terms and expressions are used they shall have the following respective meanings:

"1980 Act"	means the Highways Act 1980;
"1990 Act"	means the Town and Country Planning Act 1990;
"A3 Slips"	means the provision of new north facing slip roads to and from the A3 at the A247 Clandon Road (Burnt Common);
"A3 Slips Funding Payment"	means a sum equal to the reasonable amount estimated by the County Council as the cost of delivering or procuring the delivery of the A3 Slips in accordance with a fully costed and deliverable scheme details of which shall have been provided to the Owner pursuant to paragraph 3.2 of the Fifth Schedule, such sum to be

	used by the County Council to deliver or procure the delivery of the A3 Slips in accordance with such scheme to the reasonable satisfaction of Highways England;
"A3 Slips Design"	means the design of a scheme for the A3 Slips which shall be materially in accordance with the design shown on drawing number 0934/SK/062 Rev B in the Highway Works Drawings and shall not include any further works to the A3 carriageway other than such works as are necessary to tie in to the existing A3 carriageway;
"Accrued Interest"	means interest calculated at the Bank of England base rate from time to time;
"Affordable Housing"	means social rented, affordable rented and intermediate housing provided to eligible households whose needs are not met by the market where eligibility is determined with regard to local incomes and local house prices;
"Affordable Housing Mix"	means the following mix of tenures of the Affordable Housing Units: (a) 60% of the Affordable Housing Units shall be Affordable Rented Housing Units; and (b) the remaining 40% of the Affordable Housing Units shall be a mix of such other affordable housing tenures to be agreed between the Owner and the Council in the Affordable Housing Strategy but of which at least half shall be Shared Ownership Units, or such other mix of tenures as is agreed by the Council in writing;
"Affordable Housing Provider"	means a body listed on the Homes and Communities Agency's register of providers of social housing (or such replacement list of providers from time to time) who is approved in writing by the Council;
"Affordable Housing Strategy"	means a strategy for the provision of the Affordable Housing Units which defines and achieves the Affordable Housing Mix for the Development as a whole but which may vary from Phase to Phase, such strategy to include the tenure and location of the Affordable Housing Units in each Phase and which shall require the Owner to provide between 20% and 50% of the Dwellings as Affordable Housing within each Phase of the Development;
"Affordable Housing Units"	means the residential units at the Development to be provided as Affordable Housing and "Affordable Housing Unit" shall be construed accordingly;
"Affordable Rented Housing Units"	means those Affordable Housing Units let to households who are eligible for affordable rented housing at rents which including service charge do not exceed the maximum local housing allowance (or whatever housing benefit scheme is in place at the time) for the area and which do not exceed 80 per cent of the local market rent

	for that property;
"Appeal"	means the appeal submitted by the Owner to the Secretary of State on 30 September 2016 pursuant to section 78 of the 1990 Act against the Council's refusal of the Application (Planning Inspectorate reference APP/Y3615/W/16/3159894);
"Application"	means the application for outline planning permission to carry out the Development at the Site (as may be revised by substituted and additional drawings and material) and given the registered number 15/P/00012;
"Asset"	means the SANG, the Community Facility and any other On-Site Infrastructure that is to be managed by the WACT as identified in the Land Ownership and Management Plan;
"Asset Land"	means: (a) for the SANG, the SANG Land; (b) for the Community Facility, the Community Facility Site; and (c) such other land as is required for the On-Site Infrastructure that is to be managed by the WACT as identified in the Land Ownership and Management Plan;
"Asset Transfer Terms"	means the terms for transferring the Asset Land attached to this Deed at Appendix 7;
"Best Value"	means the provision of the Bus Services using the most advantageous combination of cost, quality and sustainability where: (a) cost means consideration of the whole life cost of delivery of the Bus Services; (b) quality means meeting a specification which is fit for purpose and sufficient to meet the requirements for the Bus Services; and (c) sustainability means economic, environmental, social and community benefits in support of the objectives for the Bus Services;
"Bus Services"	means the following new bus services (using vehicles with a minimum of 23 seats) to be provided Monday to Saturday between 06:00 and 23:00 hours between the Site and: (a) Guildford two times per hour; (b) Effingham Junction Station and/or Horsley Station five times per hour; and (c) Cobham two times per hour, unless otherwise agreed between the Owner and the County Council or in accordance with the Travel Plan Framework;
"Bus Services"	means the date on which the Owner serves notice on

"Takeover Date"	the Council and the County Council (together with such evidence as may reasonably be required by the Council and the County Council and to include an Independent Audit Report) that the WACT is sufficiently endowed in accordance with the WACT Endowment Scheme to enable the WACT to provide the Bus Services in substitution for the Owner;
"C3 Dwellings"	<p>means the Dwellings excluding any Dwellings that are used:</p> <p>(a) for the provision of residential accommodation and care to people in need of care other than a use within Class C3 of the Town and Country Planning (Use Classes) Order 1987; or</p> <p>(b) as a nursing home within Class C2 of the Town and Country Planning (Use Classes) Order 1987,</p> <p>PROVIDED THAT where such excluded Dwellings are intended to be Occupied prior to the approval of the Affordable Housing Strategy, such excluded Dwellings shall have first been notified to the Council by the Owner and approved by the Council as being excluded Dwellings for the purposes of this Deed;</p>
"Chartered Accountant"	means an independent and suitable person holding appropriate professional qualifications and with at least 15 years' post qualification experience relevant to the auditing of accounts of Parish Councils and/or Charities to be appointed by agreement between the Owner and the Council and the County Council or failing agreement by the President of the Institute of Chartered Accountants England and Wales and who will be appointed jointly but whose fees are to be paid by the Owner;
"Clinical Commissioning Group"	means the statutory body set up by the Health and Social Care Act 2012 to be responsible for the planning and commissioning of health care services for the Guildford Borough and shall include reference to any successor body or agency;
"Community Facility"	means a community facility to be constructed in accordance with the Community Facility Specification and in a location to be approved by the Council pursuant to a Reserved Matters Application;
"Community Facility Equipment"	means the equipment to be provided by the Owner within the Community Facility;
"Community Facility Inspection Notice"	means a notice in the form set out in Appendix 9;
"Community Facility Site"	means the land or space within the Site on which the Community Facility shall be provided pursuant to paragraph 9 of the Third Schedule;
"Community Facility"	means a building with a floor space of not less than 500

Specification"	<p>square metres laid out to provide the following:</p> <ul style="list-style-type: none"> • main activity and assembly space measuring not less than 18m x 10m; • secondary activity space measuring not less than 10m x 10m; • entrance foyer; • equipment and furniture store; • kitchen; • toilets, including facilities for disabled people; • cleaner's store; • boiler or plant room; • two offices each of a minimum size of 30 square metres; • changing rooms and showers; and • a licensed bar and a permanent stage within the main activity and assembly space or the secondary activity space;
"Contributions"	<p>means any contribution to be paid to the Council or County Council pursuant to the Third Schedule (Indexed as may be required) or as the context so requires;</p>
"CPI"	<p>means a measure of inflation equivalent to the Consumer Prices Index including owner occupiers' housing costs (CPIH) published by the Office for National Statistics or such other index as may be published from time to time in substitution therefor;</p>
"CPOIA"	<p>means an agreement to provide an indemnity from the Owner against all reasonable costs properly incurred either by the Council or the County Council in respect of either of those parties exercising powers of compulsory purchase at the request of the Owner;</p>
"Cycle and Public Rights of Way Improvements Contribution"	<p>means a contribution of up to £2,000,000 towards the costs of:</p> <p>(a) an area-wide scheme or schemes delineated by the area within the blue line shown on the drawing entitled "Area Applicable to the Cycle and Public Rights of Way Improvements Contribution" contained in the Second Schedule for physical cycle route improvements (including their consultation, promotion and any necessary Traffic Orders) and/or campaigns and programmes of cycle training and education; and</p> <p>(b) spot improvements to the local public rights of way network,</p> <p>to encourage the use of bicycles in preference to the private car within the scheme area indicated on the drawing referred to above in accordance with the County Council's cycle strategy and to promote sustainable transport behaviours in the interests of</p>

	reducing congestion, improving air quality and the use of local public rights of way in support of the SANG Management Plan;
"Cycle and Public Rights of Way Improvements Early Contribution"	means a payment from the total amount of the Cycle and Public Rights of Way Improvements Contribution of £10,000 ;
"Cycle and Public Rights of Way Improvements Phase 1 Contribution"	means a payment from the total amount of the Cycle and Public Rights of Way Improvements Contribution of up to £490,000 ;
"Cycle and Public Rights of Way Improvements Phase 2 Contribution"	means a payment from the total amount of the Cycle and Public Rights of Way Improvements Contribution of up to £990,000 LESS any amount previously paid as the Cycle and Public Rights of Way Improvements Phase 1 Contribution;
"Cycle and Public Rights of Way Improvements Phase 3 Contribution"	means a payment from the total amount of the Cycle and Public Rights of Way Improvements Contribution of up to £1,490,000 LESS any amounts previously paid as the Cycle and Public Rights of Way Improvements Phase 1 Contribution and the Cycle and Public Rights of Way Improvements Phase 2 Contribution;
"Cycle and Public Rights of Way Improvements Phase 4 Contribution"	means a payment from the total amount of the Cycle and Public Rights of Way Improvements Contribution of up to £1,990,000 LESS any amounts previously paid as the Cycle and Public Rights of Way Improvements Phase 1 Contribution, the Cycle and Public Rights of Way Improvements Phase 2 Contribution and the Cycle and Public Rights of Way Improvements Phase 3 Contribution;
"Development"	means the phased development of a new settlement of up to 2,068 dwellings incorporating up to 60 sheltered accommodation units and 8 gypsy and traveller pitches and associated infrastructure including accesses onto the A3 (Ockham Interchange), Ockham Lane and Old Lane and revised access to Elm Corner, a secondary school, a primary school, community provision, nursery provision, health facility, a local centre (incorporating food & drink, retail, a visitor centre and offices), employment area, sports and recreational facilities (incorporating a floodlit sports pitch and pavilion), Sustainable Drainage Systems and an area of Suitable Alternative Natural Greenspace (SANG) incorporating a landform feature and car parking; the erection of associated utilities infrastructure; the development proposal to incorporate the demolition/ removal of the runway and VOR Beacon (and any associated outbuildings); outline application, matter for determination access (matters reserved scale, appearance, landscaping and layout, as set out in the Application and pursuant to the Planning Permission;

"Dwelling"	means a dwelling (including a house, flat, flatlet or maisonette) to be constructed pursuant to the Planning Permission and which shall exclude the gypsy and traveller accommodation;
"East Horsley Bus Infrastructure Improvements"	means the Highway Works comprising bus turning improvements at Station Parade within East Horsley village centre shown on drawing number DLA/1730/L001/01 Rev A in the Highway Works Drawings;
"Effingham Bus Stops"	means two bus stops on Forest Road, Effingham in the vicinity of Howard Road to provide accessible bus stops with new bus shelters, real time passenger information and bus stop poles, flag and timetable case;
"Effingham Junction Station Bus Infrastructure"	means improvements to bus infrastructure and provision of bus turning facilities at Effingham Junction Station;
"Effingham Junction Station Bus Infrastructure Contribution"	means a contribution of up to £500,000 towards the costs of providing the Effingham Junction Station Bus Infrastructure;
"Effingham Junction Crossroads Improvements"	means the Highway Works shown on drawing number 0934/SK/053 Rev C in the Highway Works Drawings;
"Expert"	means an independent and suitable person holding appropriate professional qualifications and with at least 15 years' post qualification experience relevant to the subject matter of the dispute appointed in accordance with the provisions of clause 9 to determine a dispute;
"Gypsy and Traveller Nominations Agreement"	means an agreement entered into between the Council and the Owner which governs the Council's nomination rights for Occupation of any pitches within the Gypsy and Traveller Site and which will provide for: <ul style="list-style-type: none"> (a) reasonable terms and conditions for Occupation of the pitches which if not met will allow the Owner the right to refuse to let a pitch and which will include an allocation policy taking account of the diversity of the gypsy and traveller community and the need for good estate management; (b) the review of the terms and conditions and the allocation policy every five years from the date of the agreement or such earlier time as may be agreed between the Council and the Owner; and (c) the Council to have nomination rights to all initial and subsequent vacancies in accordance with the Council's allocation policy in force at the relevant time;
"Gypsy and Traveller"	means the land upon which the Gypsy and Traveller

"Site"	Site Scheme has been implemented;
"Gypsy and Traveller Site Scheme"	means a scheme to deliver eight gypsy and traveller pitches at the Development laid out in accordance with the specifications contained within the now withdrawn Department of Communities and Local Government publication of May 2008: Designing Gypsy and Traveller Sites Good Practice Guide;
"Healthcare Facility"	means a facility providing primary care services to serve the needs of the Development to be constructed in accordance with the Healthcare Facility Specification;
"Healthcare Facility Contribution"	means a contribution of £1,000,000 towards the provision of primary healthcare services in the locality of the Site;
"Healthcare Facility Lease"	means a lease of the Healthcare Facility on reasonable commercial terms;
"Healthcare Facility Premises"	means premises to be determined in accordance with paragraph 8 of the Third Schedule and which may be provided within a multi-occupied building;
"Healthcare Facility Specification"	means the specification for the Healthcare Facility to be capable of delivering primary healthcare to a population of 5,000 patients in a building with a minimum internal floorspace of 500 square metres;
"Highways Agreement"	means an agreement to be entered into pursuant to section 38 and/or section 278 of the 1980 Act between the Owner and the applicable highway authority and any other relevant party;
"Highways England"	means the government's agency responsible for operating, maintaining and improving England's motorways and major trunk roads and shall include reference to any successor body or agency;
"Highway Works"	means those works described in paragraphs 4.1 to 4.12 of the Third Schedule of this Deed or any of them as relevant to the context as shown on the Highway Works Drawings;
"Highway Works Drawings"	means those drawings relating to paragraphs 4.1 to 4.12 of the Third Schedule as contained in the Second Schedule as may be amended from time to time with the written agreement of the County Council or Highways England (as the case may be);
"Homes and Communities Agency"	means the body known as the Homes and Communities Agency or any successor organisation or body which provides capital funding to Affordable Housing Providers;
"Horsley Bus Stops"	means improvements to the two bus stops on the B2039 Ockham Road North and Ockham Road South in the vicinity of Station Approach to provide accessible bus stops with new bus shelters, real time passenger

	information and bus stop poles, flag and timetable case;
"Implementation"	means the carrying out of a material operation as defined in section 56(4) of the 1990 Act which is not a Preparatory Operation and the words "Implement" and "Implemented" shall be construed accordingly;
"Implementation Date"	means the date on which the Planning Permission is Implemented;
"Independent Audit Report"	means a report by a Chartered Accountant giving his opinion and reasons (following consultation with the WACT Board of Trustees) as to whether the proposals in the WACT Endowment Scheme at the time of the SANG Phase Takeover Date, Bus Services Takeover Date or WACT Takeover Date (as the case may be) will mean that the WACT is sufficiently endowed to fulfil the relevant obligations in paragraphs 12.8 to 12.10 of the Third Schedule;
"Indexed"	means adjusted by reference to the CPI pursuant to the provisions of clause 12;
"Interest"	means for the purposes of clause 13 only interest at four per cent above the base lending rate of the HSBC Bank Plc from time to time in force;
"In-Vessel Composting Facility"	means the in-vessel composting facility for the reception and processing of green, kitchen and animal wastes on the Site authorised by planning permission reference 08/P/01472 or planning permission reference GU12/P/00533;
"Keep Open"	means maintaining the Gypsy and Traveller Site in a good condition and making pitches available to members of the gypsy and traveller community in accordance with the Gypsy and Traveller Nominations Agreement and not refusing any nomination of the Council in accordance with the Gypsy and Traveller Nominations Agreement;
"Land Ownership and Management Plan"	<p>means in respect of each Phase a plan that provides for the management of the On-Site Infrastructure within that Phase sited on land that is:</p> <ul style="list-style-type: none"> (a) privately owned; (b) adoptable infrastructure such as highway; (c) to be transferred to a third party; (d) to be managed by the WACT; (e) to be managed by a management company; or (f) to be retained by the Owner, <p>and where relevant, sets out the arrangements for the long term maintenance of such land including:</p> <ul style="list-style-type: none"> (i) identifying On-Site Infrastructure that is to be managed by the WACT; (ii) the financial arrangements proposed for funding those long term maintenance

	<p>arrangements including identifying the provisions within the relevant WACT Endowment Scheme where the land is to be managed by the WACT; and</p> <p>(iii) where On-Site Infrastructure is to be managed by the WACT, whether the freehold or leasehold interest in the land is to be transferred to the WACT subject to the Asset Transfer Terms and any proposed changes to those Asset Transfer Terms, or whether some alternative proprietorial arrangement is proposed;</p>
"LEAPs and LAPs"	means alternatively a Locally Equipped Area for Play or a Local Area for Play to be provided in accordance with details agreed pursuant to the Planning Permission and the relevant specifications within the Fields in Trust document Beyond the Six Acre Standard attached to this Deed at Appendix 4;
"Library Contribution"	means the sum of £100,000 ;
"Natural England"	means the government's adviser for the natural environment in England of that name and shall include reference to any successor body or agency;
"Nominations Agreement"	<p>means an agreement to be entered into between the Council and the Affordable Housing Provider, which governs the Council's nomination rights for Occupation of any Affordable Rented Housing Units and Shared Ownership Units and which will:</p> <p>(a) provide for the Council to have nomination rights to all initial and 75% of subsequent vacancies in accordance with the Council's allocation policy in force at the relevant time, with the Affordable Housing Provider having nomination rights to the balance of vacancies;</p> <p>(b) require the Affordable Housing Provider not to unreasonably refuse a tenancy to a nominee put forward by the Council; and</p> <p>(c) refer to the Council's tenancy strategy, the Council's allocation scheme and any letting plan which is put in place for the Development or the relevant Phase;</p>
"Occupation"	means occupation for the purposes permitted by the Planning Permission but does not include occupation by personnel engaged in construction, fitting out or decoration, occupation for marketing or display, occupation in relation to security operations or occupation for the purposes of carrying out any Preparatory Operation and "Occupy", "Occupied" and "Occupier" shall be construed accordingly;
"On-Site Infrastructure"	means:

	<p>(a) drainage;</p> <p>(b) green infrastructure;</p> <p>(c) open space</p> <p>(d) LEAPs and LAPs; and</p> <p>(e) formal sports and community buildings and other community assets;</p>
"Parties"	means the Council, the County Council and the Owner as the context so requires and "Party" means any one of them;
"Phase"	means a part of the Site as shall be identified as a sub-phase of the Development pursuant to the master and sub-phasing plan to be approved by the Council pursuant to the Planning Permission;
"Planning Officer"	means a suitably qualified and experienced development control officer nominated by the Council to provide day to day development control advice to ensure the successful implementation and monitoring of the Development and who shall be the primary point of contact for the discharge of conditions and obligations in relation to the Development;
"Planning Permission"	means outline planning permission for the Development granted by the Secretary of State pursuant to the Appeal;
"Practical Completion"	means the substantial completion of any works, part or Phase (as the case may be) of the Development whereupon a certificate of practical completion or in the case of highway works a provisional certificate is issued by an architect, engineer or other suitably qualified professional and the terms "Complete", "Completed", "Practically Complete" and "Practically Completed" shall be construed accordingly;
"Preparatory Operation"	means an operation or item of work of or connected with or ancillary to archaeological investigation, exploratory boreholes and trial pits, survey of existing structures, demolition, site clearance and excavation (including associated temporary works) or site preparation, site reclamation and site remediation works, preliminary landscaping, diversion, decommissioning or laying of services for the supply or carriage of water, sewerage, gas, electricity, telecommunications or other media or utilities, the erection of fences, hoardings and scaffolding and construction of temporary access and service roads, constructing the SANG (including but not limited to constructing the SANG car park and the SANG access road), constructing the new access road from the A3/Ockham Interchange, constructing the new bridge over the Stratford Brook stream, constructing the plant access via Old Lane, and other works and site establishment preparatory to the commencement of construction including temporary extinguishment and

	closure of public rights affecting the Site and operations permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015;
"Public Open Space"	means any open space within the development which is intended to be available for use by the residents of the development and is to include sports playing fields, local areas for play, local equipped areas for play, and other amenity open space and other areas of amenity land but for the avoidance of doubt does not include any land included within a SANG;
"Reasonable Endeavours"	means that the Party under such an obligation will not thereby be required to take proceedings (including any appeal) in any court, public inquiry or other hearing (unless specified to the contrary) but subject thereto and to other terms of this Deed such Party will be bound to attempt to fulfil the relevant obligation to the standard of that required of the relevant Party and by the expenditure of such effort or sums of money and the pursuance of such reasonable avenues that are available and engagement of such professional or other advisers as in each case in all the circumstances (including the importance to the other Parties of the fulfilment of the relevant obligation) may be reasonable to expect PROVIDED THAT this shall not require any Party to continue with such endeavours if it is clear that to do so would be likely to be futile;
"Reserved Matters Application"	means any application seeking approval of any reserved matters pursuant to the Planning Permission;
"Reserved Matters Approval"	means the approval issued pursuant to the determination of a Reserved Matters Application;
"SAMM Contribution"	means a contribution towards the cost of strategic access, management and monitoring of the SPA to be calculated on the basis of the following contributions per Dwelling: £411.01 for each 1-bed unit; £577.16 for each 2-bed unit; £737.48 for each 3-bed unit; £871.56 for each 4-bed unit; and £999.82 for each 5 and more bed units;
"SAMM Plus"	means: (a) the funding and promotion of off-site public rights of way improvements; (b) the funding and/or provision of a dedicated Wisley and Ockham warden service; and (c) a package of public education measures, together with such other mitigation measures described as SAMM Plus in the Information for Habitats Regulations Assessment P 14/67-2F dated November 2015 forming part of the SANG Management Plan or as

	may otherwise be agreed by the Owner and the Council in consultation with Natural England and to be implemented in accordance with the SANG Management Plan;
"SANG"	means Suitable Alternative Natural Green Space to be provided in accordance with the SANG Management Plan;
"SANG Land"	means the land within the Site on which SANG will be provided as identified in the SANG Management Plan;
"SANG Management Plan"	means the Information for Habitats Regulations Assessment P 14/67-2F dated November 2015, the Suitable Alternative Natural Greenspace – Outline Habitat Creation & Management Plan P 14/67-3D dated November 2015 and the Letter of Explanation, Revisions to SANG Design dated 25 February 2016, copies of which are attached to this Deed at Appendix 3 or as may otherwise be agreed by the Owner and the Council in consultation with Natural England;
"SANG Phase"	means a phase of the SANG Works as identified in the SANG Management Plan and "Phase 1 SANG", "Phase 2 SANG", "Phase 3 SANG" and "Phase 4 SANG" shall refer to each of those specific phases of the SANG Works identified in the SANG Management Plan;
"SANG Phase Completion Notice"	means a notice in the form set out at Appendix 8 to be served by the Owner on the Council advising that in the opinion of the Owner the relevant SANG Phase has been Practically Completed;
"SANG Phase Condition Notice"	means a notice in the form set out at Appendix 8 to be served by the Owner on the Council advising that in the opinion of the Owner the relevant SANG Phase has been maintained in accordance with the SANG Management Plan;
"SANG Phase Takeover Date"	means the date on which the Owner serves notice on the Council (together with such evidence as may reasonably be required by the Council and to include an Independent Audit Report) that the WACT is sufficiently endowed in accordance with the WACT Endowment Scheme to enable the WACT to comply with the SANG Management Plan in substitution for the Owner in relation to that SANG Phase;
"SANG Works"	means the works specified in sections 5 to 8 of the Suitable Alternative Natural Greenspace – Outline Habitat Creation & Management Plan P 14/67-3D dated November 2015 and the Letter of Explanation, Revisions to SANG Design dated 25 February 2016, copies of which are attached to this Deed at Appendix 3 or as may otherwise be agreed by the Owner and the Council in consultation with Natural England;
"Service Charge"	means the due proportion of any reasonable estate

	service charge for the Development and any other reasonable charge for services and facilities provided to or for the Asset Land subject to the Asset Transfer Terms which is properly allocated to the tenant by the landlord acting in accordance with the principles of good estate management;
"Shared Ownership Units"	means Affordable Housing Units provided and occupied under a scheme of ownership whereby the owner of the Affordable Housing Unit who is also the Occupier (then or on completion) obtains and retains at least an initial 25% equity share of the leasehold interest of the Affordable Housing Unit (as ascertained at that time);
"Site"	means the land at Wisley Airfield, Hatch Lane, Ockham, GU23 6NU as shown edged in red on the Site Plan, being the land against which this Deed may be enforced;
"Site Plan"	means drawing number 1715/P/105 P1 within the Second Schedule to this Deed;
"SPA"	means the Thames Basin Heaths Special Protection Area designated on 9th March 2005 under the Conservation (Natural Habitats, &c.) Regulations 1994 Statutory Instrument 1994 No. 2716 which derive from European Directives 92/43/EEC Conservation of natural habitats and of wild fauna and flora and 79/409/EEC Conservation of wild birds;
"Strategy"	means the Thames Basin Heaths Special Protection Area Avoidance Strategy 2017 Supplementary Planning Document adopted by the Council with effect from 18 July 2017;
"Surrey Police"	means the police force responsible for policing the county of Surrey and shall include reference to any successor body or agency;
"Surrey Police Contributions"	means the contributions payable by the Owner towards the costs of community policing infrastructure pursuant to paragraph 10 of the Third Schedule;
"Traffic Order"	means an order restricting the use of the highway made under the Road Traffic Regulation Act 1984;
"Transfer"	means in respect of the Affordable Housing Units the transfer to an Affordable Housing Provider of the freehold or the grant of a lease for a term of at least 125 years unless otherwise agreed in writing with the Council and "Transferred" shall be construed accordingly;
"Travel Plan Framework"	means the travel plan framework to be approved pursuant to the relevant condition of the Planning Permission which shall set out the management of travel demand and incentives for more sustainable travel to and from the Site and as amended from time to time;

"WACT"	means the Wisley Airfield Community Trust;
"WACT Articles of Association"	means the articles of association of the WACT materially in accordance with the draft articles of association at Part 2 of Appendix 6;
"WACT Board of Trustees"	means a board of trustees comprising those persons appointed pursuant to paragraph 12 of the Third Schedule;
"WACT Business Plan"	means a business plan materially in accordance with the draft outline business plan at Part 1 of Appendix 6 or such other terms as may be agreed between the Parties, in consultation with Natural England, from time to time;
"WACT Endowment Scheme"	means a scheme to provide for the funding of the obligations to be inherited by WACT in relation to the SANG Management Plan, the funding of the Bus Services and the management and maintenance of the Community Facility and any other On-Site Infrastructure that is to be managed by the WACT as identified in the Land Ownership and Management Plan, in accordance with the standards set out in Appendix 2 and specified within the documents in Appendix 4 as well as in accordance with the general approach set out in the WACT Business Plan;
"WACT Framework"	means the framework at Appendix B of the WACT Business Plan or such other terms as may be agreed between the Parties, in consultation with Natural England, from time to time;
"WACT Implementation Agreement"	means an implementation agreement generally in accordance with the draft implementation agreement at Part 3 of Appendix 6 or such other terms as may be agreed between the Parties, in consultation with Natural England, from time to time;
"WACT Takeover Date"	means the date on which the Owner serves notice on the Council (together with such evidence as may reasonably be required by the Council and to include an Independent Audit Report) that the WACT is sufficiently endowed in accordance with the WACT Endowment Scheme to enable the WACT to fulfil its obligations in paragraph 12.10 of the Third Schedule;
"Wheelchair Housing Units"	means Affordable Housing Units which are to be designed and constructed so that they can be easily adapted for use by wheelchair users without the need for structural alteration and through minor modifications such as fixing grab rails, replacing kitchen units or replacing a bath with a shower;
"Working Day"	means any day (other than a Saturday, Sunday, or any statutory bank holiday) on which clearing banks are open in England for the transaction of banking business; and

"WSP Cycle Route Concept Report"	means the report attached to this Deed at Appendix 5 or such other report to be agreed between the Owner and the County Council for a cycle route to Byfleet/Brooklands.
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2. INTERPRETATION

- 2.1 Where in this Deed reference is made to any clause, paragraph or schedule such reference (unless the context otherwise requires) is a reference to a clause, paragraph or schedule in or to this Deed.
- 2.2 The headings to the clauses, schedules and paragraphs of this Deed shall not affect the interpretation of this Deed.
- 2.3 The schedules to this Deed form part of it and the provisions set out in the schedules shall have the same full force and effect as if expressly set out in the body of this Deed.
- 2.4 Words importing the singular meaning where the context so admits include the plural meaning and vice versa.
- 2.5 Words of the masculine gender include the feminine and neuter genders and words denoting actual persons include companies, corporations and firms and all such words shall be construed as interchangeable in that manner.
- 2.6 Wherever there is more than one person named as a party and where more than one party undertakes an obligation all their obligations may be enforced against all of them jointly and against each individually unless there is an express provision otherwise.
- 2.7 Any references in this Deed to statutes, bye-laws, regulations, orders and delegated legislation shall include any modification, extension or re-enactment of the same for the time being in force and shall include all instruments, orders, plans, regulations, permissions and directions for the time being made, issued or given pursuant to the same or deriving validity from it.
- 2.8 References to any party to this Deed shall include the successors in title to that party and to any person deriving title through or under that party and in the case of the Council and the County Council the successors to their respective statutory functions.
- 2.9 The Interpretation Act 1978 shall apply to this Deed.

3. ENABLING PROVISIONS

- 3.1 This Deed is made pursuant to Section 106 of the 1990 Act, Section 111 of the Local Government Act 1972 and Section 1 of the Localism Act 2011 and all other powers so enabling.
- 3.2 This Deed is a planning obligation for the purposes of Section 106 of the 1990 Act and the covenants, restrictions and requirements on the part of the Owner in this Deed bind the Owner's interest in the Site and each and every part thereof into whosoever hands the same may come and are enforceable by the Council as local planning authority against the Owner pursuant to Section 106(3) of the 1990 Act.
- 3.3 Subject to clause 3.4, the parties hereto are satisfied that (where applicable) the provisions of this Deed comply with the requirements of regulations 122 and 123 of the Community Infrastructure Levy Regulations 2010 and, accordingly, the parties affirm that the planning obligations contained in this Deed are necessary to make the Development acceptable in planning terms, directly related to the Development and fairly and reasonably related in scale and kind to the Development.

3.4 If any of the Owner's covenants with the Council and the County Council as set out in the Third Schedule are found by the Secretary of State (or by the Inspector appointed by the Secretary of State for the purposes of the Appeal) not to comply with regulation 122 of the Community Infrastructure Levy Regulations 2010 they shall be cancelled and of no effect but such cancellation shall not affect the validity or enforceability of the remaining parts of this Deed.

4. DATE OF DEED COMING INTO FORCE

4.1 None of the provisions in this Deed shall have operative effect unless and until the Planning Permission has been granted and Implemented save for:

4.1.1 this clause 4 and clauses 1, 2, 7.1, 7.2, 7.3, 7.4, 7.6, 7.8, 7.9, 7.11, 7.12, 8, 9, 10, 11, 14, 15, 16, 17 and 18 which have operative effect on the date of this Deed;

4.1.2 clauses 3, 5.3, 7.7 and 7.13, which shall have operative effect on the date the Planning Permission is granted;

4.1.3 clause 5.2, which shall have operative effect on the date the Planning Permission is granted but only to give effect to paragraphs 11.1, 12.1, 12.2 and 12.3 of the Third Schedule and not in relation to any other covenants by the Owner as set out in the Third Schedule;

4.1.4 clause 6.1, which shall have operative effect on the date the Planning Permission is granted but only to give effect to paragraphs 6.2, 6.3 and 8 of the Fourth Schedule and not in relation to any other covenants by the Council as set out in the Fourth Schedule; and

4.1.5 clause 6.2, which shall have operative effect on the date the Planning Permission is granted but only to give effect to paragraphs 2, 8.2 and 8.3 of the Fifth Schedule and not in relation to any other covenants by the County Council as set out in the Fifth Schedule,

except where the Planning Permission is the subject of any unresolved judicial review proceedings or other legal challenge, in which event clauses 4.2 and 4.3 will apply.

4.2 Where the Planning Permission is the subject of any judicial review proceedings or other legal challenge:

4.2.1 until such time as such proceedings or challenge including any appeal have been finally determined the terms and provisions of this Deed (save for those provisions identified in clause 4.1 as having operative effect on the date of this Deed) will remain without operative effect notwithstanding the grant and Implementation of the Planning Permission;

4.2.2 if following the final determination of such proceedings or challenge the Planning Permission is quashed and is not subsequently superseded by a new planning permission accepted by the Owner this Deed will cease to have any further effect and any money paid by the Owner to the Council or County Council pursuant to the Third Schedule shall be repaid to the Owner in full within 56 days of the final determination of such proceedings or challenge; and

4.2.3 if following the final determination of such proceedings or challenge the Planning Permission is capable of being Implemented all of the terms and provisions of this Deed will apply in full.

4.3 Wherever in this Deed reference is made to the final determination of judicial review proceedings or other legal challenge (or cognate expressions are used), the following provisions will apply:

- 4.3.1 proceedings by way of judicial review are finally determined when:
 - (A) permission to apply for judicial review has been refused and no further application may be made;
 - (B) the court has given judgment in the matter and the time for making an appeal expires without an appeal having been made or permission to appeal is refused; or
 - (C) any appeal is finally determined;
- 4.3.2 proceedings under section 288 of the 1990 Act are finally determined when:
 - (A) the court has given judgment in the matter and the time for making an appeal expires without an appeal having been made or permission to appeal is refused; or
 - (B) any appeal is finally determined.

5. THE OWNER'S COVENANTS

- 5.1 The Owner covenants with the Council not to construct or operate the In-Vessel Composting Facility.
- 5.2 The Owner covenants with the Council and the County Council as set out in the Third Schedule.
- 5.3 The Owner covenants that the master and sub-phasing plan and the master phase design frameworks and sub-phase design frameworks to be approved pursuant to the Planning Permission will provide for the delivery of a minimum of 2,000 Dwellings on the Site.

6. THE COUNCIL'S AND THE COUNTY COUNCIL'S COVENANTS

- 6.1 The Council covenants with the Owner as set out in the Fourth Schedule and covenants with the Owner to comply with the obligations on the Council's part in the Fourth Schedule.
- 6.2 The County Council covenants with the Owner as set out in the Fifth Schedule and covenants with the Owner to comply with the obligations on the County Council's part in the Fifth Schedule.

7. GENERAL

- 7.1 The Owner shall pay to the Council on completion of this Deed the reasonable legal costs of the Council properly incurred in the negotiation, preparation and execution of this Deed.
- 7.2 The Owner shall pay to the County Council on completion of this Deed the reasonable legal costs of the County Council properly incurred in the negotiation, preparation and execution of this Deed.
- 7.3 None of the provisions of this Deed shall be enforceable pursuant to the Contracts (Rights of Third Parties) Act 1999 by a person who is not a Party to this Deed.
- 7.4 This Deed is a local land charge for the purposes of the Local Land Charges Act 1975 and shall be registered as such by the Council.
- 7.5 The Council will upon the written request of the Owner at any time after all the obligations on the part of the Owner contained in this Deed have been fully discharged or performed issue the Owner with written confirmation of such discharge or performance and the Council will thereafter effect the cancellation of all entries made in the Register of Local Land Charges in respect of this Deed.

- 7.6 Insofar as any provision of this Deed is found (for whatever reason) to be invalid, illegal or unenforceable then such invalidity, illegality or unenforceability shall not affect the validity, legality or enforceability of the remaining provisions of this Deed.
- 7.7 This Deed shall cease to have effect (insofar only as it has not already been complied with) if the Planning Permission shall be quashed, revoked or otherwise withdrawn or it is modified (other than by agreement with or at the request of the Owner) or it expires by effluxion of time prior to the Implementation of the Planning Permission and any money paid by the Owner to the Council or County Council pursuant to the Third Schedule shall be repaid to the Owner in full within 56 days.
- 7.8 No person, upon disposing of the whole or any part of his interest in the Site, shall be liable for any breach of any of the planning obligations or other provisions of this Deed and will be released from all obligations, undertakings and covenants under this Deed in relation to that interest or the relevant part thereof (as the case may be) but without prejudice to his liability for any subsisting breach arising prior to parting with such interest or the relevant part thereof.
- 7.9 Any mortgagee or chargee of the whole or any part of the Site shall have no liability under this Deed unless and until it takes possession of the Site or the relevant part thereof (as the case may be) in which case it will be bound by the obligations as a person deriving title from the Owner.
- 7.10 From the date on which the freehold or leasehold interest in any Dwelling is acquired by a person or persons for his or her own occupation (or for letting to another person for his or her own occupation), the obligations in this Deed shall no longer be binding on or enforceable in respect of that Dwelling.
- 7.11 Nothing in this Deed shall prohibit or limit the right to develop any part of the Site in accordance with a planning permission (other than the Planning Permission) granted (whether or not on appeal) after the date of this Deed but this Deed shall apply to any planning permission subsequently granted ("**Subsequent Permission**") under section 73 or 73A of the 1990 Act which permits non-compliance with any of the conditions attached to the Planning Permission and the Planning Permission shall be construed to include the Development as stated in the Subsequent Permission.
- 7.12 Nothing contained or implied in this Deed shall prejudice or affect the rights, discretions, powers, duties and obligations of the Council or the County Council under all statutes, by-laws, statutory instruments, orders and regulations in the exercise of their functions as a local authority.
- 7.13 If there is any conflict between the terms of this Deed and any conditions attached to the Planning Permission the latter shall take precedence.

8. WARRANTIES

- 8.1 Wisley Property Investments Limited warrants that on the date of this Deed:
- 8.1.1 it has full authority to enter into this Deed;
 - 8.1.2 it owns the freehold interests in the Site described in the First Schedule;
and
 - 8.1.3 it is not aware of any impediment to the validity of this Deed.
- 8.2 The Council of the Borough of Guildford warrants that on the date of this Deed it has full authority to enter into this Deed.
- 8.3 Surrey County Council warrants that on the date of this Deed it has full authority to enter into this Deed.

9. EXPERT DETERMINATION

- 9.1 In the event of any dispute or difference arising between the Parties touching or concerning any matter arising out of this Deed (other than a dispute or difference touching or concerning the meaning or construction of this Deed) such dispute or difference shall be referred by either Party to an Expert to be appointed (in the absence of agreement) on the application of either Party to the President (or equivalent person) of a professional body chiefly relevant in England to such qualifications.
- 9.2 The Expert shall act as an expert and save in the case of manifest error his decision shall be final and binding on the parties to the dispute or difference and his costs shall be payable by the parties to the dispute or difference in such proportion as he shall determine and failing such determination shall be borne by the parties to the dispute or difference in equal shares.
- 9.3 In the absence of agreement as to whom to appoint as the Expert or as to the appropriate professional body referred to in clause 9.1, within 10 Working Days after a written request by one Party to the other to agree to the appointment of an Expert then the question of the appropriate qualifications or professional body shall be referred to a solicitor to be appointed by the President of the Law Society of England and Wales on the application of either Party and such a solicitor shall act as an expert and his decision as to the Expert or as to the appropriate professional body shall be final and binding on the parties to the dispute or difference and his costs shall be payable by the parties to the dispute in such proportion as he shall determine and failing such determination shall be borne in equal shares.
- 9.4 Any Expert howsoever appointed shall be subject to the express requirement that a decision be reached and communicated to the relevant parties within the minimum practicable timescale allowing for the nature and complexity of the dispute and in any event not more than 28 Working Days after the conclusion of any hearing that takes place or 28 Working Days after he has received any file or written representation.
- 9.5 The Expert shall be required to give notice to each of the parties to the dispute or difference requiring them to submit to him within 10 Working Days of notification of his appointment written submissions and supporting material and the parties will be entitled to make a counter written submission within a further 10 Working Days.

10. WAIVER

- 10.1 No waiver (whether expressed or implied) by the Council, the County Council or the Owner of any breach or default in performing or observing any of the covenants, terms or conditions of this Deed shall constitute a continuing waiver and no such waiver shall prevent the Council, the County Council or the Owner from enforcing any of the relevant covenants, terms or conditions or for acting upon any subsequent breach or default.

11. CHANGE IN OWNERSHIP

- 11.1 The Owner agrees to give the Council and County Council immediate written notice of any change in ownership of its interest or any part of its interest in the Site occurring before all the obligations under this Deed have been performed and discharged, such notice to give details of the transferee's full name and registered office (if a company or usual address if not) together with details of the part of the Site purchased by reference to a plan.

12. INDEXATION

12.1 Any sum stipulated as being payable by the Owner to the Council or County Council shall be increased by an amount equivalent to the increase in CPI from the date of this Deed until the date on which such sum is payable pursuant to the provisions of this Deed.

13. INTEREST

13.1 If any payment due under the provisions of this Deed is paid more than seven days after the due date Interest shall in addition be payable on such sum from the date payment is due to the date of actual payment.

14. SERVICE OF NOTICES

14.1 Any notice, consent or approval required to be given under this Deed shall be in writing and shall be delivered personally or sent by pre-paid first class recorded delivery post marked for the attention of the person and copied to the person(s) identified below or instead to such other persons as may be notified to the Parties as substituted for them from time to time:

The Council	
Address	Millmead House Millmead Guildford Surrey GU2 4BB Attention: The Section 106 Officer
The County Council	
Address	County Hall Penrhyn Road Kingston upon Thames KT1 2DN Attention: Infrastructure Agreements Manager or Successor
The Owner	
Address	4th Floor Denman House 20 Piccadilly London W1J 0DG Attention: Mike Murray

14.2 Any such notice shall conclusively be deemed to have been received on:

14.2.1 (if delivered by hand) the next Working Day after the day of delivery; and

14.2.2 (if sent by post and posted within the United Kingdom) two Working Days after the date of posting.

14.3 Any such notice, consent or approval, or request by the Owner for consent or approval from the Council or County Council, shall specifically refer to the name, date and Parties to this Deed, and shall cite the clause of this Deed to which it relates.

15. GOOD FAITH

15.1 The Parties agree with each other to act reasonably and in good faith in the discharge of the obligations contained in this Deed.

16. VAT

16.1 All sums and amounts referred to in this Deed are exclusive of VAT (if any) due or payable in any circumstances save where otherwise provided.

16.2 The Owner shall not be obliged to make any contribution towards the VAT payable by the Council or County Council in respect of any works to be undertaken by the Council or County Council insofar as and to the extent that the amount of such VAT is (by way of set off or otherwise) recoverable by or reimbursable to the Council or County Council.

16.3 VAT shall only be payable by the Owner on production of a valid VAT invoice addressed to the Owner.

17. GOVERNING LAW AND JURISDICTION

17.1 This Deed is governed by and interpreted in accordance with the laws of England and Wales.

17.2 It is hereby agreed that the parties irrevocably submit to the exclusive jurisdiction of the English Courts but thereafter may seek enforcement by debt of any judgment by taking proceedings in other jurisdictions.

18. DELIVERY

18.1 The provisions of this Deed (other than this clause 18 which shall be of immediate effect) shall be of no effect until this Deed has been dated.

IN WITNESS whereof the parties hereto have executed this agreement as a Deed on the day and year first before written.

FIRST SCHEDULE
Details of the Owner's Title

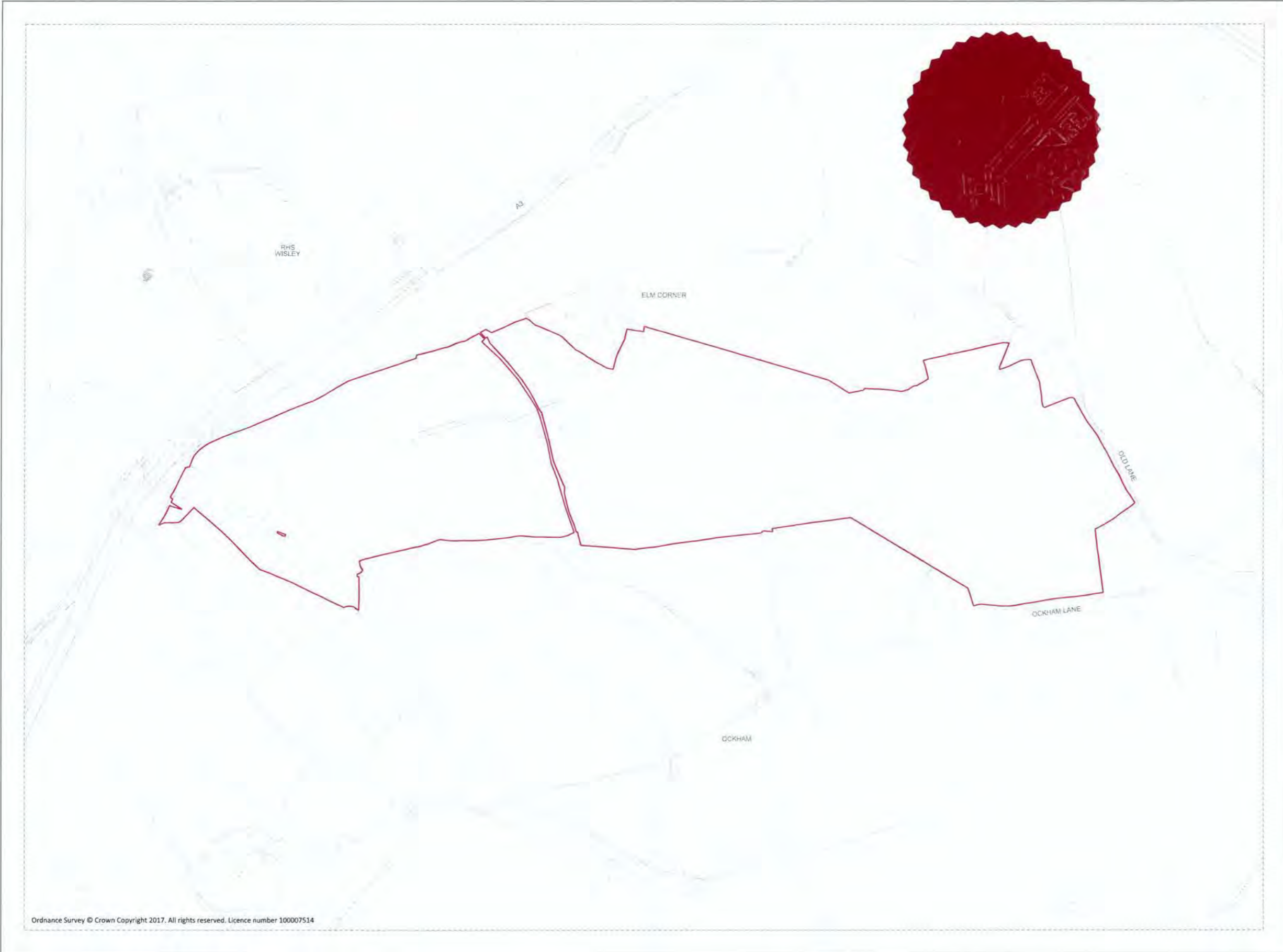
The Owner is the Registered Proprietor with Freehold Title Absolute of the Site as registered at the Land Registry with title numbers: SY524010; SY90328; SY700332; and SY536811.

SECOND SCHEDULE

Plans

- Site Plan: drawing number 1715/P/105 P1
- Effingham Junction Crossroads Improvements: drawing number 0934/SK/053 Rev C
- Send Roundabout: drawing number 0934/SK/020 Rev C
- East Horsley Bus Infrastructure Improvements: drawing number DLA/1730/L001/01 Rev A
- Area Applicable to the Cycle and Public Rights of Way Improvements Contribution
- A3 Ockham Interchange: 0934/SK/005 Rev F
- A3 Slips Design: drawing number 0934/SK/062 Rev B

L 10



KEY

— SITE BOUNDARY



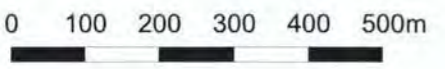
EXECUTED as a DEED by
Affixing THE COMMON SEAL of
THE COUNCIL OF THE BOROUGH
OF GUILDFORD in the presence of:



Authorised Signatory

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NOTE: STRATFORD FARM
BOUNDARY INDICATIVE ONLY



FoldenCleggBradleyStudios
LLP
Twenty
Tottenham Street
London
W1T 4RG
t 020 73235737
f 020 73235720
e london@fcbstudios.com

P1 - PLANNING ISSUE Amendment	OCTOBER 2017 Date
WISLEY AIRFIELD MASTERPLAN	Job/Drawing No 1715/P/105 Amendment P1
S106 SITE PLAN	Scale 1:5000 (1:10,000 @ A3) Date OCTOBER 2017 Drawn ME
Do not scale	All dimensions to be checked on site
Original printed at A1	



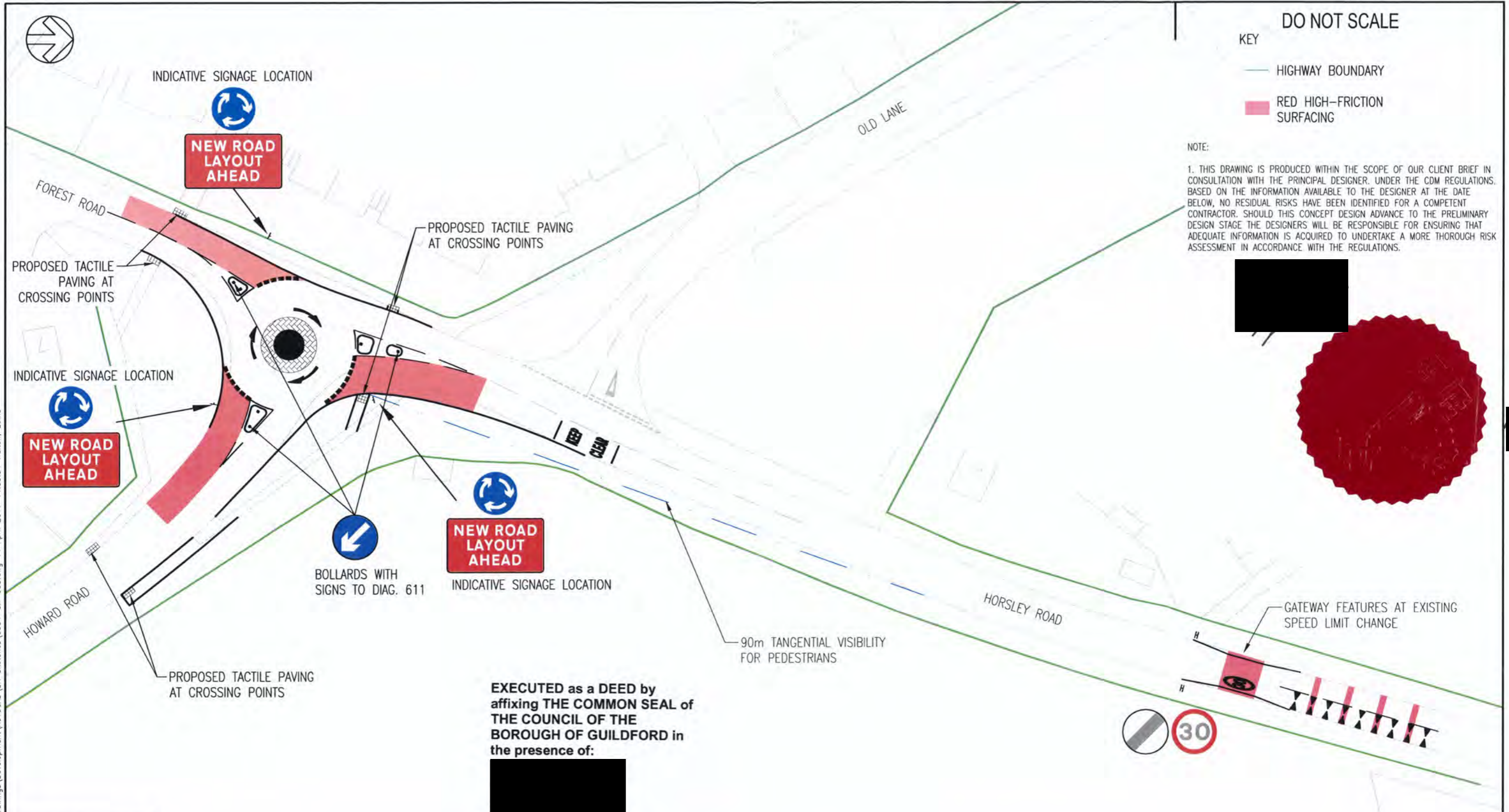
DO NOT SCALE

KEY

- HIGHWAY BOUNDARY
- RED HIGH-FRICTION SURFACING

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S:\50400934 - Wisley Airfield, Surrey\Development\Drawings\Development\AUTOCAD\SK Sketches\0934-SK-053.dwg 11 April 2017 11:55:34 Walton, Lewis

REV	DATE	BY	DESCRIPTION	CHK	APD
C	11/04/17	LEW	RSA 1 RESPONSE	DDP	CAM
B	09/02/17	LEW	GATEWAY FEATURE ADDED	CAM	CAM
A	02/11/16	LEW	ISSUED	CAM	CAM

DRAWING STATUS: FOR INFORMATION ONLY


 Mountbatten House, Basing View, Basingstoke, Hampshire RG21 4HJ
 Tel: +44 (0)1256 318800 Fax: +44 (0)1256 318700
 www.wspgroup.com www.pbworld.com

CLIENT:	WISLEY PROPERTY INVESTMENTS LTD
ARCHITECT:	FIELDEN CLEGG BRADLEY STUDIOS

PROJECT:	WISLEY AIRFIELD
TITLE:	POTENTIAL MINI-ROUNDABOUT AT HOWARD ROAD/ HORSELY ROAD/ FOREST ROAD JUNCTION

SCALE @ A3:	1:500	CHECKED:	CAM	APPROVED:	CAM
CAD FILE:	0934-SK-053.DWG	DESIGN-DRAWN:	LEW	DATE:	November 16
PROJECT No:	50400934	DRAWING No:	0934-SK-053	REV:	C
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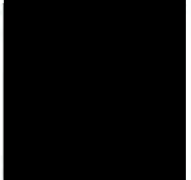
44.3m



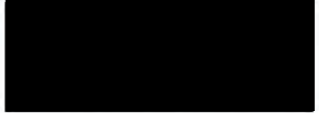
BUSH TO BE REMOVED

HATCHING EXTENDS FOR 110m

UNMARKED ILLUMINATED BOLLARDS



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S:\50400934 - Wisley Airfield, Surrey\Development\AUTOCAD\SK Sketches\0934-SK-020.dwg 01 March 2016 16:58:58 Walton, Lewis

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REV	DATE	BY	DESCRIPTION	CHK	APD
C	01/03/15	LEW	AMENDED FOLLOWING RSA 1	DDO	CM
B	08/06/15	LEW	AMENDED FOLLOWING RSA 1	CM	CM
A	13/06/14	LEW	ISSUED	AJL	AJL

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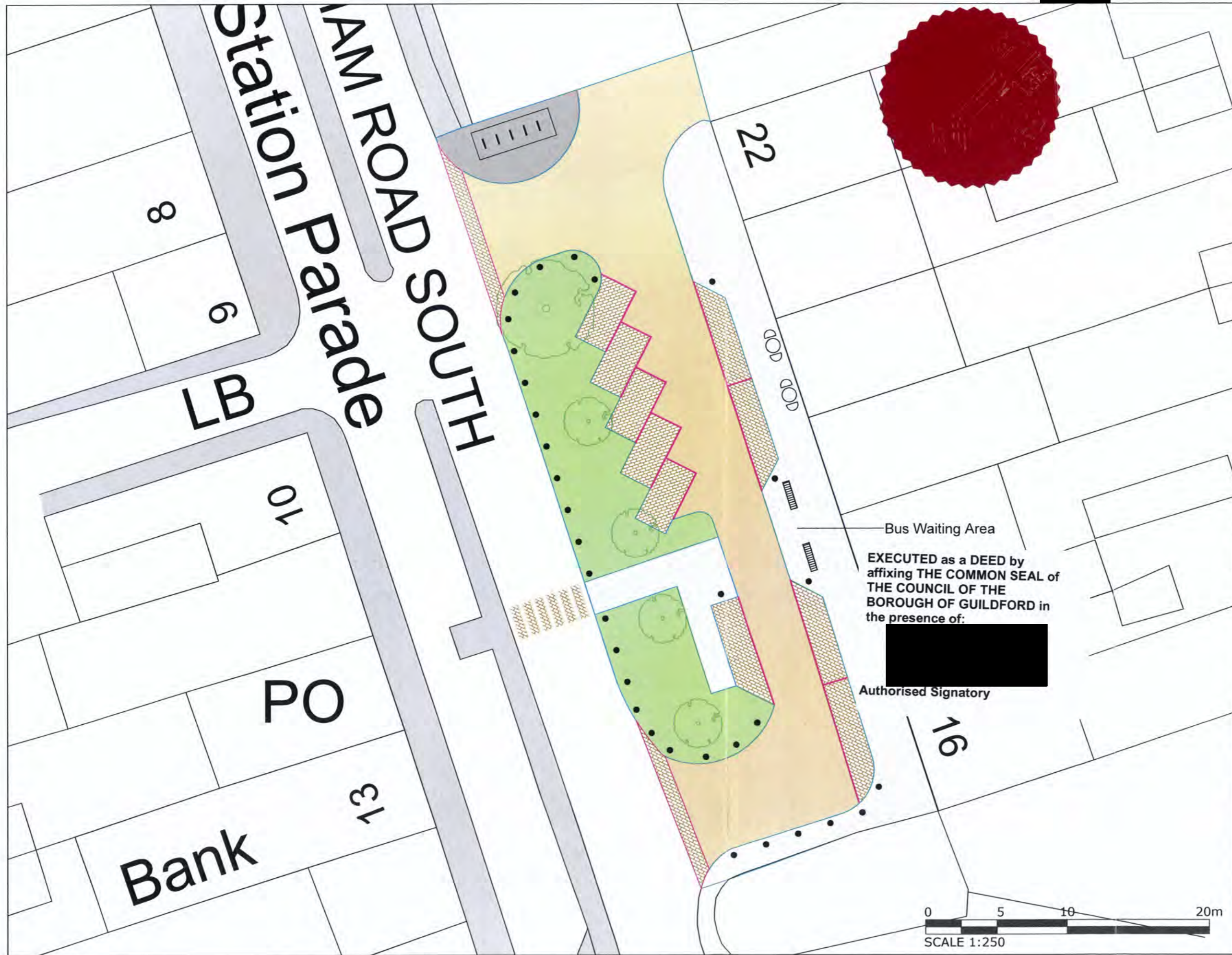


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 Tel: +44 (0)1256 318800 Fax: +44 (0)1256 318700
<http://www.wspgroup.com>

CLIENT: WISLEY PROPERTY INVESTMENTS LTD	PROJECT: WISLEY AIRFIELD
ARCHITECT: PIELDEN CLEGG BRADLEY STUDIOS	TITLE: POTENTIAL SEND ROUNDABOUT IMPROVEMENTS

SCALE @ A3: 1:500	CHECKED: AJL	APPROVED: AJL
CAD FILE: 0934-SK-020.DWG	DESIGN-DRAWN: LEW	DATE: June 14
PROJECT No: 50400934	DRAWING No: 0934-SK-020	REV: C

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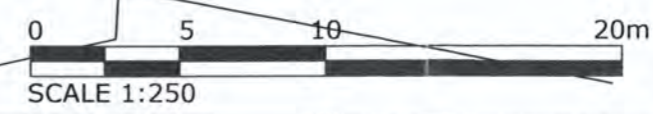
- Legend**
- Pedestrian - Natural Stone Paving
 - Pedestrian - Tarmac
 - Vehicular - Mastertint Asphalt
 - Vehicular - Block Paving
 - Parking Demarcation
 - Kerbs
 - Grass
 - Existing Trees Retained
 - Replaced Bollards to Match Adjacent Metal Bollards
 - Proposed Cycle Stand
 - Proposed Benches

A	11.07.16	1x Parking Space Removed & Zebra Crossing Added	AH
REV	DATE	DESCRIPTION	BY
THIS DRAWING SHOULD NOT BE SCALED THIS DRAWING IS COPYRIGHT.			
01. SKETCH	04. TENDER		
02. CLIENT APPROVAL	05. CONSTRUCTION		
03. PLANNING	06. AS BUILT		
DRAWING STATUS			
-			
01. PRELIMINARY	02. FOR COMMENT	03. FOR APPROVAL	
OTHER:			
-			
CLIENT:			
WPIL			
PROJECT:			
Wisley Airfield, Station Parade - East Horsley			
DRAWING TITLE:			
Station Parade Layout - Option 1			
DAVIESLANDSCAPE ARCHITECTS			
Suite F1, Stroud House, Russett Street, Stroud, Gloucestershire, GL5 3AN			
T. 01453 760390 e. info@d-la.co.uk w. www.d-la.co.uk			
DATE:	11.07.16	SCALE:	1:250@A3
JOB NO.:	1730	DRAWN BY:	AH
DWG NO.:	DLA.1730.L001.01	REV:	A

Bus Waiting Area

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Key

— Area Applicable to the Cycle and Public Rights of Way Improvements Contribution Outline



S:\5040034 - Wisley Airfield, Surrey\IE Models and Drawings\Development\COREL

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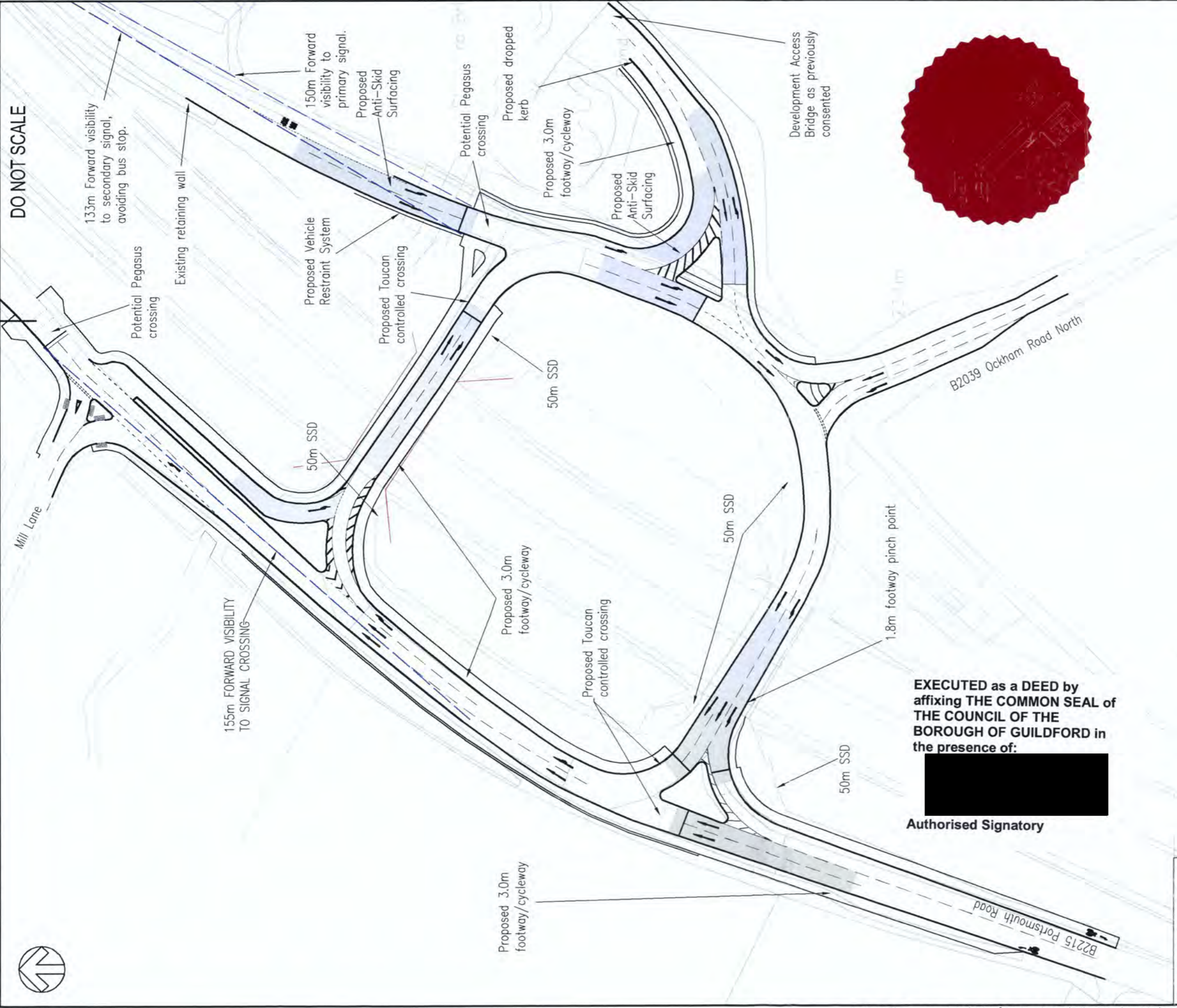


Authorised Signatory

wsp

TITLE: Area Applicable to the Cycle and Public Rights of Way Improvements Contribution

FIGURE No: -



DO NOT SCALE

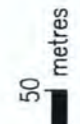


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REV	DATE	BY	DESCRIPTION	CHK	APP
F	26/02/15	NW	AMENDED FOLLOWING RSA1	DDD	CAV
E	09/12/15	LEW	AMENDED FOLLOWING ASSESSMENTS	CAV	CAV
D	17/05/14	LEW	AMENDED FOLLOWING RSA 1	A.L.	A.L.
C	12/12/14	RJM	SCALE BAR ADDED	A.L.	A.L.
B	05/01/14	FI	NMU REVISIONS	A.L.	A.L.
CHECKED: A.L.				APPROVED: A.L.	
SCALE @ AS: 1:1000					

WSP

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<http://www.wspgroup.com>

CLIENT: WISLEY PROPERTY INVESTMENTS LTD
 ARCHITECT: FIELDEN CLEGG BRADLEY STUDIOS

PROJECT: ██████████

PROPOSED A3 / OCKHAM INTERCHANGE WITH MODIFIED SITE ACCESS

CAD FILE: 0934-SK-005.DWG
 DESIGN-DRAWN: FI
 DATE: December 13

PROJECT No: 50400934
 DRAWING No: 0934-SK-005
 REV: F

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2. ROUNDABOUT DESIGNS BASED ON MOTION-LIK DRAWING 15043-016 REVA
3. MERGE AND DIVERGE PRODUCED TO STANDARDS AS PER DMRB TO 22/06

KEY

— HIGHWAY DEVELOPMENT BOUNDARY

1.3km WEAVING DISTANCE TO SERVICES

1.2km WEAVING DISTANCE TO SERVICES

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REV	DATE	BY	DESCRIPTION	CHK	APP
B	14/09/2017	LEW	FADED SHOULDER ADDED		
A	13/09/2017	LEW	1963 ISSUE		

DRAWING STATUS: S2 - FOR INFORMATION



Mountbatten House, Basing View, Basingstoke, RG21 4HJ, UK
 T+44 (0) 1256 318 800, F+44 (0) 1256 318 700
 wsp.com

CLIENT: WISLEY AIRFIELD PROPERTY INVESTMENTS LTD

ARCHITECT: FEILDEN CLEGG BRADLEY STUDIOS

SITE/PROJECT: WISLEY AIRFIELD

W.P.E. PROPOSED BURNT COMMON SLIP ROADS
 MERGE/DIVERGE ENHANCEMENT
 AUXILIARY LANES

SCALE @ A1	CHECKED	APPROVED
1:1000	DDD	CAM

PROJECT NO.	DESIGNED	DRAWN	DATE	REV.
0400934	LEW	LEW	September 17	

DRAWING No: 0934-SK-062
 REV: B

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File name: S:\0400934\WISLEY AIRFIELD\BUREAU\BUREAU\DRAWINGS\DEVELOPMENT\AUTOCAD\DWG\0934-SK-062.DWG, printed on 14 September 2017 14:22:26, by William Lewis

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THIRD SCHEDULE
Owner's Planning Obligations

1. SANG and SAMM Contribution

- 1.1. The Owner covenants to implement the SANG Works in accordance with the SANG Management Plan and further covenants:
- 1.1.1. not to Occupy or enable to be Occupied any Dwellings unless and until the Phase 1 SANG has been laid out, Practically Completed and made available for use by the public in accordance with the SANG Management Plan;
 - 1.1.2. not to Occupy or enable to be Occupied more than 1,558 Dwellings unless and until the Phase 2 SANG has been laid out, Practically Completed and made available for use by the public in accordance with the SANG Management Plan;
 - 1.1.3. not to Occupy or enable to be Occupied more than 1,643 Dwellings unless and until the Phase 3 SANG has been laid out, Practically Completed and made available for use by the public in accordance with the SANG Management Plan; and
 - 1.1.4. not to Occupy or enable to be Occupied more than 1,981 Dwellings unless and until the Phase 4 SANG has been laid out, Practically Completed and made available for use by the public in accordance with the SANG Management Plan.
- 1.2. Upon Practical Completion of each SANG Phase the Owner shall serve the SANG Phase Completion Notice on the Council and, following receipt of notice from the Council pursuant to paragraph 2.1 of the Fourth Schedule that any remedial works are reasonably required, the Owner shall complete such remedial works within the time specified in the notice to the reasonable satisfaction of the Council, which the Council will confirm to the Owner in writing.
- 1.3. Following Practical Completion of each SANG Phase and the completion of any remedial works notified by the Council pursuant to paragraph 2.1 of the Fourth Schedule, the Owner shall comply with the SANG Management Plan in relation to that SANG Phase until the SANG Phase Takeover Date, whereupon the Owner shall be released from its obligations in this paragraph 1.3 so far as they relate to that SANG Phase.
- 1.4. Prior to the proposed SANG Phase Takeover Date the Owner shall serve the SANG Phase Condition Notice on the Council and, following receipt of notice from the Council pursuant to paragraph 2.1 of the Fourth Schedule that any remedial works are reasonably required, the Owner shall complete such remedial works within the time specified in the notice to the reasonable satisfaction of the Council, which the Council will confirm to the Owner in writing.
- 1.5. Following the SANG Phase Takeover Date and the Council informing the Owner and the WACT in writing that it is reasonably satisfied with the endowment

provisions the WACT shall take over maintenance of the relevant SANG Phase in accordance with the SANG Management Plan.

- 1.6. Upon Practical Completion of the SANG Works, the Owner shall transfer the freehold interest in the SANG Land to the WACT (or such other body approved in writing by the Owner and the Council in consultation with Natural England) substantially in accordance with the Asset Transfer Terms (subject to reasonable amendments agreed by the Owner and the Council to reflect relevant circumstances at the time of such transfer).
- 1.7. Prior to first Occupation of each 100 Dwellings, the Owner shall pay the SAMM Contribution to the Council in respect of those Dwellings.

2. Affordable Housing

General

- 2.1. The Owner will provide Affordable Housing in each Phase in accordance with the Affordable Housing Mix, the range of unit sizes set out in the table attached to this Deed at Appendix 1 and the obligations set out in this paragraph 2.
- 2.2. Any variation from the Affordable Housing Mix or the range of unit sizes set out in the table attached to this Deed at Appendix 1 must be agreed in writing at the discretion of the Council acting through the Head of Housing Advice Services.
- 2.3. The obligations in this paragraph 2 relate only to and are enforceable only against each Phase separately from each other Phase.
- 2.4. Notwithstanding paragraph 2.3, the Parties agree that any failure by the Owner to comply with the obligations in this paragraph 2 in respect of a specific Phase will be treated as a continuing breach of those obligations and such obligations will remain enforceable by the Council until they have been performed.

Affordable Housing Strategy

- 2.5. Unless otherwise agreed in writing by the Council, the Owner shall not Occupy or permit Occupation of any C3 Dwellings at the Development unless and until the Owner has submitted the Affordable Housing Strategy to the Council for approval and such approval has been granted.

Affordable Housing Provider

- 2.6. The Owner shall not Occupy or permit Occupation of any C3 Dwellings in each Phase unless and until the Owner has submitted the details of the Affordable Housing Provider for that Phase to the Council for approval and such approval has been granted.

Provision of Affordable Housing

- 2.7. Unless otherwise approved by the Council acting through the Head of Housing Advice Services and subject to paragraphs 2.8 and 2.9, the Owner covenants with the Council that not fewer than 40% of the C3 Dwellings shall be provided as Affordable Housing Units.
- 2.8. The Owner shall not permit more than 50% of the C3 Dwellings in each Phase to be Occupied unless and until construction of the Affordable Housing Units to be provided within that Phase has begun.
- 2.9. The Owner shall not permit more than 80% of the C3 Dwellings in each Phase to be Occupied unless and until:

- 2.9.1. all of the Affordable Housing Units to be provided within that Phase have reached Practical Completion; and
- 2.9.2. the Owner has entered into a binding contract for the Transfer of those Affordable Housing Units and written confirmation of such has been provided by the Owner to the Council.

Use of Affordable Housing

- 2.10. Subject to paragraphs 2.11 and 2.15, the Affordable Housing Units shall:
 - 2.10.1. remain as Affordable Housing in perpetuity and all re-lets and re-sales of the Affordable Housing Units will be on the basis that they remain as Affordable Housing in accordance with the terms of this Deed;
 - 2.10.2. not be Occupied otherwise than as Affordable Housing; and
 - 2.10.3. be managed by an Affordable Housing Provider.
- 2.11. The obligations in this paragraph 2 shall cease to apply in respect of any Affordable Housing Unit in circumstances where an occupier:
 - 2.11.1. acquires a freehold or leasehold in such unit pursuant to a statutory right to acquire or right to buy; or
 - 2.11.2. staircases out by acquiring 100% of the equity in such unit.
- 2.12. The Owner shall use Reasonable Endeavours to procure that the Affordable Housing Provider enters into a Nominations Agreement with the Council but in the event that the Affordable Housing Provider refuses to enter into a Nominations Agreement with the Council no Affordable Housing Unit may be Occupied until the qualifications of the proposed Occupier to Occupy Affordable Housing have been submitted to and approved by the Council.
- 2.13. Upon the Transfer of any Affordable Housing Unit, the Owner shall cease to be bound by the restrictions in this Deed in respect of that Affordable Housing Unit.

Wheelchair Housing

- 2.14. The Owner shall submit for the Council's approval with each Reserved Matters Application for Affordable Housing Units details of the number and location of those Affordable Housing Units that are to be delivered as Wheelchair Housing Units, such number to be determined by reference to wheelchair housing need in the local area.

Mortgagees and Chargees

- 2.15. The restrictions in this paragraph 2 shall not be binding upon a mortgagee or chargee of any Affordable Housing Provider to which the freehold or long leasehold of the Affordable Housing Units has been Transferred or a receiver appointed by such mortgagee or chargee or (in each case) any person or party deriving title from such mortgagee, chargee or receiver PROVIDED THAT (in the case of a disposal by a mortgagee, chargee or receiver) all of the following conditions have been satisfied:
 - 2.15.1. any power of sale available to any such mortgagee, chargee or receiver arising under their mortgage or charge over any Affordable Housing Unit shall only be exercised in the event of there being a default or any obligation to such mortgagee, chargee or receiver;
 - 2.15.2. confirmation of such default is provided to the Council as soon as reasonable practicable after any notice is served on the Owner (as the case may be);

- 2.15.3. the mortgagee, chargee or receiver has used Reasonable Endeavours for a period of three months following the date that the confirmation of default is provided to the Council to sell the Affordable Housing Units to the Council or an alternative Affordable Housing Provider; and
- 2.15.4. if despite using Reasonable Endeavours the mortgagee, chargee or receiver has been unable to dispose of the Affordable Housing Unit or Units within the said period of three months then the mortgagee, chargee or receiver shall be entitled to dispose of the Affordable Housing Units free of the provisions of this paragraph 2 for the full market value on the open market or as it sees fit.

3. Gypsy and Traveller Site

- 3.1. The Owner shall not Occupy or enable to be Occupied more than 1,000 Dwellings until the Owner has:
 - 3.1.1. submitted the Gypsy and Traveller Site Scheme to the Council for approval; and
 - 3.1.2. undertaken such works as are necessary to construct and complete the Gypsy and Traveller Site Scheme as approved by the Council to the reasonable satisfaction of the Council.
- 3.2. Upon Practical Completion of the works required by paragraph 3.1.2, the Owner shall thereafter Keep Open the Gypsy and Traveller Site for the lifetime of the Development.

4. Highway Infrastructure

Effingham Junction Crossroads Improvements

- 4.1. The Owner shall not Occupy or enable to be Occupied more than 500 Dwellings until the Effingham Junction Crossroads Improvements have been completed to the reasonable satisfaction of the County Council PROVIDED THAT this obligation shall not apply where a third party or the County Council has committed to carry out or fund equivalent works at Forest Road, Horsley Road, Old Lane and Howard Road.

Send Roundabout

- 4.2. The Owner shall not Occupy or enable to be Occupied more than 500 Dwellings until the Highway Works shown on drawing number 0934/SK/020 Rev C in the Highway Works Drawings have been completed to the reasonable satisfaction of the County Council.

East Horsley Bus Infrastructure Improvements

- 4.3. The Owner shall not Occupy or enable to be Occupied more than 500 Dwellings until the East Horsley Bus Infrastructure Improvements have been completed to the reasonable satisfaction of the County Council.

Effingham Junction Station Bus Infrastructure Improvements

- 4.4. The Owner shall not Occupy or enable to be Occupied more than 500 Dwellings until the Owner has paid the Effingham Junction Station Bus infrastructure Contribution to the County Council PROVIDED THAT the County Council shall have first notified the Owner of the amount of the Effingham Junction Station Bus Infrastructure Contribution to be paid and details of a costed and deliverable scheme for the Effingham Junction Station Bus Infrastructure that it will be applied towards.

Effingham Bus Stops

- 4.5. The Owner shall not Occupy or enable to be Occupied more than 75 Dwellings until the Effingham Bus Stops have been provided to the reasonable satisfaction of the County Council.

Horsley Bus Stops

- 4.6. The Owner shall not Occupy or enable to be Occupied more than 75 Dwellings until the Horsley Bus Stops have been provided to the reasonable satisfaction of the County Council.

Cycle, Footpath and Local Road Infrastructure Improvements

- 4.7. The Owner shall not Occupy or enable to be Occupied more than 250 Dwellings until the works shown in the WSP Cycle Route Concept Report are completed to the reasonable satisfaction of the County Council.

- 4.8. The Cycle and Public Rights of Way Improvements Contribution shall be paid to the County Council in the following instalments:

4.8.1. on or before first Occupation of any Dwellings, the Owner shall pay the Cycle and Public Rights of Way Improvements Early Contribution to the County Council for the purpose of improving the use of local public rights of way in support of the SANG Management Plan;

4.8.2. subject to receipt of the notice from the County Council pursuant to paragraph 4.4.1 of the Fifth Schedule, within 14 days of first Occupation of 200 Dwellings, the Owner shall pay the Cycle and Public Rights of Way Improvements Phase 1 Contribution to the County Council;

4.8.3. subject to receipt of the notice from the County Council pursuant to paragraph 4.4.2 of the Fifth Schedule, within 14 days of first Occupation of 700 Dwellings, the Owner shall pay the Cycle and Public Rights of Way Improvements Phase 2 Contribution to the County Council;

4.8.4. subject to receipt of the notice from the County Council pursuant to paragraph 4.4.3 of the Fifth Schedule, within 14 days of first Occupation of 1,200 Dwellings, the Owner shall pay the Cycle and Public Rights of Way Improvements Phase 3 Contribution to the County Council; and

4.8.5. subject to receipt of the notice from the County Council pursuant to paragraph 4.4.4 of the Fifth Schedule, within 14 days of first Occupation of 1,700 Dwellings, the Owner shall pay the Cycle and Public Rights of Way Improvements Phase 4 Contribution to the County Council,

PROVIDED ALWAYS THAT in aggregate no more than **£2,000,000** (plus any indexation sum payable pursuant to clause 12) shall be paid to the County Council pursuant to this paragraph 4.8.

A3 Ockham Interchange

- 4.9. The Owner shall not Implement the Development until the Owner has provided the County Council with written evidence that it has entered into a Highways Agreement with Highways England or the County Council (as applicable) in respect of Highway Works substantially in accordance with the works shown on drawing number 0934/SK/005 Rev F in the Highway Works Drawings and those Highway Works are Practically Complete in accordance with the terms of that Highways Agreement.

A3 Slips

- 4.10. The Owner shall not Occupy or enable to be Occupied more than 250 Dwellings unless the Owner has used Reasonable Endeavours to procure and agree the A3 Slips Design with the Council, the County Council and Highways England.
- 4.11. Subject to paragraph 4.12, the Owner shall not Occupy or enable to be Occupied more than 1,000 Dwellings until the A3 Slips have been delivered and made operational in accordance with the A3 Slips Design agreed pursuant to paragraph 4.10 to the reasonable satisfaction of the County Council and Highways England.
- 4.12. Where the Owner is unable to agree the A3 Slips Design or unable to deliver the A3 Slips then, subject to the agreement of the Council and the County Council, the Owner shall not Occupy or enable to be Occupied more than 1,000 Dwellings until:
 - 4.12.1. the A3 Slips Funding Payment has been paid to the County Council; and
 - 4.12.2. the A3 Slips have been delivered by the County Council (or delivery has been procured by the County Council in conjunction with Highways England where necessary) and made operational to the reasonable satisfaction of Highways England.

County Council's costs

- 4.13. Within 10 Working Days of a written request from the County Council, the Owner shall pay the County Council's reasonable costs properly incurred in obtaining any necessary consents, licences, permissions, approvals or Traffic Orders for the Highway Works and any costs connected with the diversion or protection of the apparatus of statutory undertakers in connection with such works

5. Bus Services

- 5.1. The Owner shall not Occupy or enable to be Occupied more than 75 Dwellings until the Bus Services have commenced and the Owner shall thereafter continue to provide or procure (in accordance with paragraph 5.2) the provision of the Bus Services until the Bus Services Takeover Date, whereupon the Owner will be released from its obligations in this paragraph 5.1.
- 5.2. The Owner shall (at the Owner's cost) work with the County Council to procure, contract manage and review the Bus Services.
- 5.3. For so long as the Owner and the County Council agree that the County Council providing the Bus Services offers Best Value, then the Owner shall until the Bus Services Takeover Date pay to the County Council the reasonable costs properly incurred by the County Council providing the Bus Services within 14 days of the County Council issuing a valid invoice to the Owner for such costs.

6. Not Used

7. Library Contribution

- 7.1. Prior to first Occupation of 1,000 Dwellings, the Owner shall pay the Library Contribution to the County Council as a contribution towards the costs of increasing access to Horsley Library and/or supporting a wider range of facilities at Guildford Library (and which may include the provision of mobile library services).

8. Healthcare Facility

- 8.1. The Owner will use Reasonable Endeavours to agree the location of the Healthcare Facility Premises (which shall be capable of accommodating a facility with a minimum internal floorspace of 500 square metres) with the Clinical Commissioning

Group on or before the expiry of six months following first Occupation of 650 Dwellings.

- 8.2. The Owner will use Reasonable Endeavours during the six month period following first Occupation of 650 Dwellings to agree EITHER:
 - 8.2.1. a Healthcare Facility Lease and the Healthcare Facility Specification; or
 - 8.2.2. terms for the sale of the Healthcare Facility Premises to the Clinical Commissioning Group or any other body that the Clinical Commissioning Group nominates to deliver a Healthcare Facility at the Healthcare Facility Premises.
- 8.3. Subject to agreement of the matters described in paragraphs 8.1 and 8.2, the Owner will construct the Healthcare Facility on the Healthcare Facility Premises on or before first Occupation of 850 Dwellings (unless otherwise agreed between the Owner and the Council).
- 8.4. In the event that the Owner has not agreed the matters described in paragraphs 8.1 and 8.2 within six months following first Occupation of 650 Dwellings then the Owner will EITHER:
 - 8.4.1. continue to approach the Clinical Commissioning Group on a quarterly basis from the date of the end of such 6 month period following first Occupation of 650 Dwellings, copying in the Council to correspondence, seeking agreement of the matters described in paragraphs 8.1 and 8.2 and subject to agreement of the matters described in paragraphs 8.1 and 8.2, the Owner will construct the Healthcare Facility on the Healthcare Facility Premises within two years of such agreement; or
 - 8.4.2. serve notice on the Council of the Owner's intention to lease the Healthcare Facility to an alternative provider of primary healthcare services and the Owner will construct the Healthcare Facility within two years of the date of service of such notice.
- 8.5. Subject to paragraph 8.7, the Owner will continue to retain the Healthcare Facility Premises for the purpose of constructing the Healthcare Facility until the earliest of the following events to occur:
 - 8.5.1. Practical Completion of the Healthcare Facility;
 - 8.5.2. receipt by the Council of notice in writing from the Clinical Commissioning Group that it will never have a requirement for a Healthcare Facility at the Site; or
 - 8.5.3. the first Occupation of 2,000 Dwellings.
- 8.6. In the event that either of the events described in paragraphs 8.5.2 and 8.5.3 occurs, then the Owner will pay the Healthcare Facility Contribution to the Council within 28 days of such occurrence PROVIDED THAT no such payment shall be required until first Occupation of 650 Dwellings.
- 8.7. Paragraphs 8.1, 8.2, 8.3, 8.4, 8.5 and 8.6 shall not prevent the use of the Healthcare Facility Premises for other temporary uses prior to the agreement of the matters described in paragraphs 8.1 and 8.2 or the construction of the Healthcare Facility pursuant to paragraphs 8.3 or 8.4.

9. Community Facility

- 9.1. The Owner will not Occupy or enable to be Occupied more than 75 Dwellings until it has provided a temporary facility on the Site which shall include a kitchen, toilet, office space and activity space for use by the residents of the Development, the

WAC and Surrey Police, such temporary facility to be retained until the Community Facility is completed and available for use.

- 9.2. The Owner will not Occupy or enable to be Occupied more than 199 Dwellings until details of the Community Facility in accordance with the Community Facility Specification have been submitted to the Council for approval, including details of the Community Facility Equipment and the local infrastructure proposed to be provided to enable the Community Facility to be operational when first provided.
- 9.3. The Owner will not Occupy or enable to be Occupied more than 499 Dwellings until the Community Facility has been constructed in accordance with the details approved by the Council pursuant to paragraph 9.2.
- 9.4. Following Practical Completion of the Community Facility, the Owner will:
 - 9.4.1. equip the Community Facility with the Community Facility Equipment within two months of Practical Completion and will make the Community Facility available for public use within one month thereafter; and
 - 9.4.2. notify the Council that it is ready for inspection in accordance with the Community Facility Inspection Notice.
- 9.5. The Owner will transfer the Community Facility Site to the WACT substantially in accordance with the Asset Transfer Terms (subject to reasonable amendments agreed by the Owner and the Council to reflect relevant circumstances at the time of such transfer) upon the later of:
 - 9.5.1. notice being given to the Owner by the Council that it is reasonably satisfied that the Community Facility has been completed in accordance with the Community Facility Specification (after the Owner has attended to any remedial matters, where reasonably required); and
 - 9.5.2. the WACT Takeover Date.

10. **Surrey Police**

- 10.1. Prior to first Occupation of 100 Dwellings, the Owner shall pay a contribution of **£44,064** to the Council to be used towards the costs of neighbourhood policing infrastructure to include:
 - 10.1.1. radios for use within the Wisley area;
 - 10.1.2. workstation / office equipment for police officers (2:1 ratio) within the Wisley area;
 - 10.1.3. uniform for police officers within the Wisley area;
 - 10.1.4. mobile IT for use within the Wisley area;
 - 10.1.5. workstation / office equipment for police staff (1:1 ratio) within the Guildford area;
 - 10.1.6. additional patrol vehicles within the Wisley area; and
 - 10.1.7. two Mobile ANPR system fitted into police patrol vehicles within the Wisley area.
- 10.2. Prior to first Occupation of 750 Dwellings, the Owner shall pay a contribution of **£31,600** to the Council to be used towards the costs of neighbourhood policing infrastructure to include:
 - 10.2.1. additional patrol vehicles within the Wisley area; and
 - 10.2.2. two Mobile ANPR system fitted into police patrol vehicles within the Wisley area.

- 10.3. Prior to first Occupation of 1,000 Dwellings, the Owner shall pay a contribution of **£15,820.12** to the Council to be used towards the costs of neighbourhood policing infrastructure to include:
- 10.3.1. radios for use within the Wisley area;
 - 10.3.2. workstation / office equipment for police officers (2:1 ratio) within the Wisley area;
 - 10.3.3. uniform for police officers within the Wisley area;
 - 10.3.4. mobile IT for use within the Wisley area;
 - 10.3.5. additional workstation for support staff member (1:1 ratio) within the Guildford area; and
 - 10.3.6. additional patrol vehicles within the Wisley area.
- 10.4. The Owner shall not Occupy or enable to be Occupied more than 75 Dwellings until it has made available an office within the temporary facility to be provided pursuant to paragraph 9.1 for the provision of an on-Site presence for Surrey Police to facilitate community policing support for the neighbourhood, such office to be retained until the facilities described in paragraph 10.5 are completed and available for use by Surrey Police.
- 10.5. The Owner shall not Occupy or enable to be Occupied more than 1,000 Dwellings until it has made available facilities with a minimum total floor area of 30 square metres at the Development for the provision of an on-Site presence for Surrey Police to facilitate community policing support for the neighbourhood up to a maximum build cost of £103,500 plus two on-Site car parking spaces for use by Surrey Police.
- 11. Management of On-Site Infrastructure**
- 11.1. The Owner shall submit with the first Reserved Matters Application for each Phase the Land Ownership and Management Plan for that Phase for approval by the Council and shall thereafter implement and comply with the relevant Land Ownership and Management Plan as approved for each Phase.
- 11.2. Any On-Site Infrastructure that is to be managed by the WACT as identified in the Land Ownership and Management Plan shall be transferred to the WACT on the WACT Takeover Date substantially in accordance with the Asset Transfer Terms (subject to reasonable amendments agreed by the Owner and the County Council to reflect relevant circumstances at the time of such transfer).
- 12. WACT**
- Establishment of the WACT**
- 12.1. On or before the Implementation Date, the Owner shall submit to the Council and the County Council for approval in consultation with Natural England:
- 12.1.1. the WACT Business Plan;
 - 12.1.2. the WACT Articles of Association;
 - 12.1.3. the WACT Endowment Scheme; and
 - 12.1.4. the WACT Implementation Agreement.
- 12.2. On or before the Implementation Date, the Owner shall establish the WACT:
- 12.2.1. materially in accordance with the WACT Business Plan, the WACT Articles of Association, the WACT Endowment Scheme and the WACT Implementation Agreement approved pursuant to paragraph 12.1;

12.2.2. on terms that are substantially in the same form as the WACT Framework; and

12.2.3. as an incorporated registered charity and company limited by guarantee with associated financial accounting and transparency requirements,

unless otherwise agreed in writing with the Council and the County Council in consultation with Natural England.

Management of the WACT

- 12.3. The WACT shall be managed by the WACT Board of Trustees, which may include:
- 12.3.1. a chairman to be appointed by the Owner until Practical Completion of the Development and thereafter appointed annually by the WACT Board of Trustees;
 - 12.3.2. up to two trustees appointed by the Owner until Practical Completion of the Development;
 - 12.3.3. a trustee to be appointed by the Council;
 - 12.3.4. a transport trustee to be appointed by the County Council;
 - 12.3.5. an ecology trustee to be appointed by Natural England or, in the event that Natural England or its nominee has not nominated a suitable person to fulfil this role within three months of a written request from the WACT chairman, to be appointed until such time as Natural England or its nominee nominates such a suitable person by the Owner until Practical Completion of the Development and thereafter by the WACT Board of Trustees;
 - 12.3.6. three community trustees to be appointed by the Owner until Practical Completion of the Development and thereafter by such means as the WACT Board of Trustees may agree; and
 - 12.3.7. co-opted trustees with specialist contributions or to meet skills gaps to be appointed by the WACT Board of Trustees.
- 12.4. In the event that any of the circumstances outlined in paragraph 12.6 occur, the Council and/or the County Council may issue a written notice to the WACT Board of Trustees to specify its concerns and to identify the actions that the Council and/or the County Council (as appropriate) requires to be taken to address those concerns.
- 12.5. Within six months of receipt of a notice pursuant to paragraph 12.4, the WACT Board of Trustees shall submit to the Council and/or the County Council (as appropriate) for approval a remedial action plan to identify the actions that will be taken by the WACT Board of Trustees to address the concerns identified by the Council and/or the County Council (as appropriate) in its notice and shall thereafter comply with the approved remedial action to the reasonable satisfaction of the Council and/or the County Council (as appropriate).
- 12.6. The circumstances referred to in paragraph 12.4 are:
- 12.6.1. in the reasonable opinion of the Council and/or the County Council, the WACT is insufficiently endowed to enable it to continue to fulfil the obligations in paragraphs 12.8 to 12.10;
 - 12.6.2. in the reasonable opinion of the Council and/or the County Council, the WACT is materially and persistently failing to fulfil its obligations in paragraphs 12.8 to 12.10; or

- 12.6.3. all of the trustees on the WACT Board of Trustees resign or are otherwise unable or unwilling to continue in their role as trustees.

Functions of the WACT

- 12.7. The WACT shall carry out its functions as set out within this Deed with the overarching aim of providing a public benefit to local residents within and in the immediate vicinity of the Site.
- 12.8. From each SANG Phase Takeover Date as provided in paragraph 1, the WACT shall maintain the relevant SANG Phase and provide SANG Plus in accordance with the SANG Management Plan.
- 12.9. From the Bus Services Takeover Date as provided in paragraph 5.1, the WACT shall provide and fund the Bus Services.
- 12.10. From the WACT Takeover Date, the WACT shall fund management and placemaking activities in accordance with the WACT Business Plan approved pursuant to paragraph 12.1 and in particular manage and maintain the Community Facility and any other On-Site Infrastructure that is to be managed by the WACT as identified in the Land Ownership and Management Plan for a period of five years from the WACT Takeover Date in accordance with the standards set out in Appendix 2 and specified within the documents in Appendix 4 and thereafter in accordance with its own policies following consultation with the residents of the Development.
- 12.11. In complying with the obligations set out in paragraphs 12.8 to 12.10, the WACT may directly commission and fund suitable providers to assist with the delivery of these services or employ its own staff to deliver these services itself.

Revisions to plans

- 12.12. The Owner shall submit to the Council and the County Council for approval an updated version of the WACT Endowment Scheme prior to first Occupation of each of:
- 12.12.1. 250 Dwellings;
 - 12.12.2. 500 Dwellings;
 - 12.12.3. 750 Dwellings;
 - 12.12.4. 1,000 Dwellings or the date that is 10 years after the Implementation Date, whichever is earlier;
 - 12.12.5. 1,250 Dwellings;
 - 12.12.6. 1,500 Dwellings; and
 - 12.12.7. 1,750 Dwellings,

and where any such updated version of the WACT Endowment Scheme demonstrates that there is a requirement for further funding to ensure that the WACT is sufficiently endowed to enable it to fulfil the obligations in paragraphs 12.8 to 12.10, the Owner shall provide such further funding and/or endowment as the updated WACT Endowment Scheme requires.

- 12.13. The Owner and the WACT shall be entitled to vary the WACT Endowment Scheme and the WACT Business Plan from time to time with the written approval of the Council and the County Council in consultation with Natural England.

13. Public Open Space

- 13.1. The Owner shall, prior to the laying out of any Public Open Space, submit for approval particulars to the Council of the surface treatments, landscaping, buildings

and/or equipment as is required to enable the proper use of such space, such particulars in relation to playing pitches to be in accordance with the relevant standards set out by Sports England attached to this Deed at Appendix 4, for approval and shall implement the approved particulars in full.

14. Dedicated Council Resourcing

14.1. The Owner shall pay to the Council:

14.1.1. the sum of **£10,000** on the first anniversary of the Implementation Date; and

14.1.2. the sum of **£10,000** on each subsequent anniversary of the Implementation Date until Practical Completion of 2,000 Dwellings or the twelfth anniversary of the Implementation Date, whichever is the earlier,

as contributions towards the cost of the Council ensuring that the functions of the Planning Officer are delivered for the purpose of providing an enhanced development control service for the benefit of the Development.

14.2. The Owner shall pay to the Council:

14.2.1. the sum of **£6,500** on the first anniversary of the Implementation Date; and

14.2.2. the sum of **£6,500** on each subsequent anniversary of the Implementation Date until Practical Completion of 2,000 Dwellings or the twelfth anniversary of the Implementation Date, whichever is the earlier,

as contributions towards the cost of the Council supporting the WACT.

14.3. The Owner shall pay to the County Council:

14.3.1. the sum of **£10,000** on the first anniversary of the Implementation Date; and

14.3.2. the sum of **£10,000** on each subsequent anniversary of the Implementation Date until Practical Completion of 2,000 Dwellings or the twelfth anniversary of the Implementation Date, whichever is the earlier,

as contributions towards the cost of the County Council providing an enhanced development control service for the benefit of the Development and towards the cost of the County Council supporting the WACT and performing its obligations in the Fifth Schedule.

15. Monitoring

15.1. The Owner will inform the Council and County Council of the following events:

15.1.1. Implementation of the Planning Permission;

15.1.2. first Occupation of any Dwelling and (if later) first Occupation of any C3 Dwelling;

15.1.3. first Occupation of each 100 Dwellings;

15.1.4. first Occupation of 75, 199, 250, 499, 650, 750, 850, 1250, 1558, 1643, 1750 and 1981 Dwellings respectively;

15.1.5. the anticipated date of first Occupation of 1,000 Dwellings;

15.1.6. Occupation of 50% of C3 Dwellings in each Phase;

- 15.1.7. Occupation of 80% of C3 Dwellings in each Phase;
- 15.1.8. Practical Completion of the Healthcare Facility;
- 15.1.9. Practical Completion of the Community Facility;
- 15.1.10. Practical Completion of 2,000 Dwellings; and
- 15.1.11. Practical Completion of the Development.

FOURTH SCHEDULE
Council's Covenants with the Owner

1. Contributions

- 1.1 The Council covenants with the Owner as follows:
- 1.1.1 immediately upon receipt to pay the Contributions into an interest bearing account;
 - 1.1.2 if requested by the Owner, to provide the Owner as soon as reasonably practicable with an audit account showing how a Contribution has been spent;
 - 1.1.3 to use the Contributions only for the purposes for which they were paid and for no other purpose; and
 - 1.1.4 in the event that any part of any Contribution has not been spent within 15 years from the date of payment, to repay any such unspent monies together with all Accrued Interest to whichever entity paid that Contribution.

2. SANG Inspections

- 2.1 Upon receipt of either a SANG Phase Completion Notice or a SANG Phase Condition Notice the Council will, in consultation with Natural England, conduct or commission an inspection of the relevant SANG Phase as soon as reasonably possible.
- 2.2 Within 7 days of the Council receiving the final report of any inspection referred to in paragraph 2.1, the Council shall provide an inspection report to the Owner together with either confirmation that the relevant SANG Phase is in a satisfactory condition or notice of any remedial works that are reasonably required to be carried out together with a reasonable period of time within which the remedial works are to be completed in order for the relevant SANG Phase to be in accordance with the relevant provisions of the SANG Management Plan.
- 2.3 The Council will, in consultation with Natural England, conduct or commission a further inspection of the relevant SANG Phase as soon as reasonably possible following notification by the Owner that any remedial works have been completed and paragraph 2.2 shall apply to any such further inspection.
- 2.4 The process described in paragraphs 2.1 to 2.3 shall be repeated until the Council has informed the Owner in writing that any remedial works have been completed to the Council's reasonable satisfaction.

3. A3 Slips

- 3.1 The Council undertakes to use Reasonable Endeavours to secure the agreement of the County Council and Highways England to the A3 Slips Design and following such agreement to enable the delivery of the A3 Slips in accordance with the agreed A3 Slips Design including (subject to the Owner entering into a CPOIA with the Council) the use of compulsory purchase powers where necessary.
- 3.2 The Council shall upon request grant a licence to the Owner or the County Council to enable the A3 Slips to be delivered on the Council's land and shall take all reasonable steps required to dedicate the A3 Slips as highway maintainable at the public expense.

4. Surrey Police

- 4.1 On receipt of the Surrey Police Contributions the Council will pay the said contributions to Surrey Police when it is satisfied that appropriate arrangements are in place to ensure Surrey Police will:
- 4.1.1 not spend the contributions or allow the contributions to be spent or applied otherwise than for the purposes specified in paragraph 10 of the Third Schedule; and
 - 4.1.2 repay to the Council any part of the contributions which has not been spent on the purposes specified in paragraph 10 of the Third Schedule within 10 years of receipt from the Council.
- 4.2 The Council shall use Reasonable Endeavours to recover any unspent contribution from Surrey Police in accordance with paragraph 4.1 and forthwith return any such unspent contribution to the person who originally paid that contribution to the Council.

5. Community Facility Inspection

- 5.1 Upon receipt of a Community Facility Inspection Notice the Council will, in consultation with the WACT, conduct or commission an inspection of the Community Facility as soon as reasonably possible.
- 5.2 Within 7 days of the Council receiving the final report of any inspection referred to in paragraph 5.1, the Council shall provide an inspection report to the Owner together with either confirmation that the Community Facility is in a satisfactory condition or notice of any remedial works that are reasonably required to be carried out together with a reasonable period of time within which the remedial works are to be completed in order for the Community Facility to be in accordance with the details approved pursuant to paragraph 9.2 of the Third Schedule.
- 5.3 The Council will, in consultation with the WACT, conduct or commission a further inspection of the Community Facility as soon as reasonably possible following notification by the Owner that any remedial works have been completed and paragraph 5.2 shall apply to any such further inspection.
- 5.4 The process described in paragraphs 5.1 to 5.3 shall be repeated until the Council has informed the Owner in writing that any remedial works have been completed to the Council's reasonable satisfaction.

6. WACT

- 6.1 Within 6 months of the Implementation Date, the Council will give notice to the Owner, the County Council and Natural England whether it wishes to nominate a representative to act as a trustee of the WACT.
- 6.2 Where the Council has approved the WACT Implementation Agreement pursuant to paragraph 12.1 of the Third Schedule in a form that includes the Council as a party to the WACT Implementation Agreement, the Council will enter into the WACT Implementation Agreement when requested to do so by the Owner.
- 6.3 Upon receiving notice of the establishment of the WACT, the Council may nominate a representative to act as a trustee of the WACT.

7. Not Used

8. Approvals

- 8.1 Where the agreement, approval, consent, confirmation or expression of satisfaction is required from the Council under the terms of this Deed such agreement, approval, consent, confirmation or expression of satisfaction shall not be

unreasonably withheld or delayed and the Council shall use Reasonable Endeavours to grant promptly such agreement, approval, consent, confirmation or expression of satisfaction, which shall be given in writing unless otherwise specifically provided for in this Deed.

- 8.2 Without limiting the generality of paragraph 8.1 and subject to paragraph 8.3, following the submission of any plan, programme, strategy, scheme or details to the Council for approval under the terms of this Deed or any revisions to such documents, the Council shall consider the same and respond in writing within 13 weeks of such submission either approving, refusing or requesting further information and in the event of a refusal or request for further information shall respond within a further 13 weeks to any subsequent submission and if the Council has not responded by the end of any applicable 13 week period then upon further notice from the Owner that a decision is required and the expiration of a further 4 weeks from the date of that notice from the Owner without a response from the Council approving, refusing or requesting further information then the relevant plan, programme, strategy, scheme, details or revisions shall be deemed to be approved.
- 8.3 Paragraph 8.2 shall not apply to any plan, programme, strategy, scheme or details submitted to the Council for approval pursuant to paragraph 1, paragraph 4.10 or paragraph 12.1 of the Third Schedule.
- 8.4 Where the Council refuses to agree, approve, consent, confirm or express satisfaction under the terms of this Deed, the Council shall provide reasons in writing to the Owner and shall provide reasonable suggestions for amendments or revisions that if made would result in the Council agreeing, approving, consenting, confirming or expressing its satisfaction under the terms of this Deed.

9. Dedicated Council Resourcing

- 9.1 Subject to the performance by Owner of its obligations in paragraph 14 of the Third Schedule, the Council shall ensure that the functions of the Planning Officer are delivered for the purpose of providing an enhanced development control service for the benefit of the Development and shall identify an officer who will be the main point of contact in relation to those functions but such officer shall not be the point of contact for service of formal notices on the Council under this agreement as provided for in clause 14.

FIFTH SCHEDULE
County Council's Covenants with the Owner

1. Contributions

- 1.1 The County Council covenants with the Owner as follows:
- 1.1.1 immediately upon receipt to pay the Contributions received from the Owner into an interest bearing account;
 - 1.1.2 if requested by the Owner, to provide the Owner as soon as reasonably practicable with an audit account showing how a Contribution has been spent;
 - 1.1.3 to use the Contributions only for the purposes for which they were paid and for no other purpose; and
 - 1.1.4 in the event that any part of any Contribution has not been spent within 15 years from the date of payment, to repay any such unspent monies together with all Accrued Interest to whichever entity paid that Contribution.

2. Approvals

- 2.1 Where the agreement, approval, consent, confirmation or expression of satisfaction is required from the County Council under the terms of this Deed such agreement, approval, consent, confirmation or expression of satisfaction shall not be unreasonably withheld or delayed and the County Council shall use Reasonable Endeavours to grant promptly such agreement, approval, consent, confirmation or expression of satisfaction, which shall be given in writing unless otherwise specifically provided for in this Deed.
- 2.2 Without limiting the generality of paragraph 2.1 and subject to paragraph 2.3, following the submission of any plan, programme, strategy, scheme or details to the County Council for approval under the terms of this Deed or any revisions to such documents, the County Council shall consider the same and respond in writing within 13 weeks of such submission either approving, refusing or requesting further information and in the event of a refusal or request for further information shall respond within a further 13 weeks to any subsequent submission and if the County Council has not responded by the end of any applicable 13 week period then upon further notice from the Owner that a decision is required and the expiration of a further 4 weeks from the date of that notice from the Owner without a response from the County Council approving, refusing or requesting further information then the relevant plan, programme, strategy, scheme, details or revisions shall be deemed to be approved.
- 2.3 Paragraph 2.2 shall not apply to any plan, programme, strategy, scheme or details submitted to the County Council for approval pursuant to paragraph 1, paragraph 4.10 or paragraph 12.1 of the Third Schedule.
- 2.4 Where the County Council refuses to agree, approve, consent, confirm or express satisfaction under the terms of this Deed, the County Council shall provide reasons in writing to the Owner and shall provide reasonable suggestions for amendments or revisions that if made would result in the County Council agreeing, approving, consenting, confirming or expressing its satisfaction under the terms of this Deed.

3. A3 Slips

- 3.1 The County Council undertakes to use Reasonable Endeavours to secure the agreement of the Council and Highways England to the A3 Slips Design and following such agreement to enable the delivery of the A3 Slips in accordance with

the agreed A3 Slips Design including (subject to the Owner entering into a CPOIA with the County Council) the use of compulsory purchase powers where necessary.

- 3.2 In the event that the County Council agrees to deliver or procure the delivery of the A3 Slips in the circumstances referred to in paragraph 4.12 of the Third Schedule, then:
- 3.2.1 the County Council shall as soon as reasonably practicable provide details of a fully costed and deliverable scheme for the A3 Slips to the Owner, such scheme to be materially in accordance with the design shown on drawing number 0934/SK/062 Rev B in the Highway Works Drawings and which shall not include any further works to the A3 carriageway other than such works as are necessary to tie in to the existing A3 carriageway;
 - 3.2.2 the County Council will use Reasonable Endeavours to minimise cost and maximise efficiency in the design and delivery of the A3 Slips;
 - 3.2.3 subject to payment by the Owner of the A3 Slips Funding Payment to the County Council, the County Council will deliver or procure the delivery of the A3 Slips in accordance with the scheme details provided to the Owner pursuant to paragraph 3.2.1; and
 - 3.2.4 the County Council will ensure the A3 Slips are delivered and made operational to the reasonable satisfaction of Highways England prior to the date notified by the Owner pursuant to paragraph 15 of the Third Schedule as being the anticipated date of first Occupation of 1,000 Dwellings.

4. Highway Works

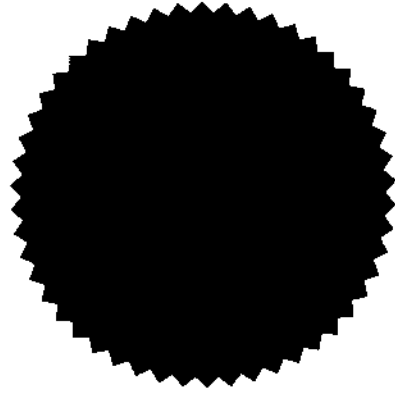
- 4.1 Following receipt of the Effingham Junction Station Bus Infrastructure Contribution from the Owner pursuant to paragraph 4.4 of the Third Schedule, the County Council shall provide or procure (working with Network Rail and the train operating company that at the relevant time is responsible for managing Effingham Junction railway station) the provision of the Effingham Junction Station Bus Infrastructure and the County Council will use Reasonable Endeavours to minimise cost and maximise efficiency in the design and delivery of the Effingham Junction Station Bus Infrastructure.
- 4.2 To enter into such Highways Agreements as are reasonably necessary to enable the delivery and adoption of the Highway Works.
- 4.3 In relation to the Cycle and Public Rights of Way Improvements Contribution payable by the Owner:
- 4.3.1 prior to first Occupation of 200 Dwellings, the County Council shall provide the Owner with written notice confirming the amount of the Cycle and Public Rights of Way Improvements Phase 1 Contribution and identifying the costed and deliverable schemes in respect of which that amount is to be applied;
 - 4.3.2 prior to first Occupation of 700 Dwellings, the County Council shall provide the Owner with written notice confirming the amount of the Cycle and Public Rights of Way Improvements Phase 2 Contribution and identifying the costed and deliverable schemes in respect of which that amount is to be applied;
 - 4.3.3 prior to first Occupation of 1,200 Dwellings, the County Council shall provide the Owner with written notice confirming the amount of the Cycle and Public Rights of Way Improvements Phase 3 Contribution and identifying the costed and deliverable schemes in respect of which that amount is to be applied; and

- 4.3.4 prior to first Occupation of 1,700 Dwellings, the County Council shall provide the Owner with written notice confirming the amount of the Cycle and Public Rights of Way Improvements Phase 4 Contribution and identifying the costed and deliverable schemes in respect of which that amount is to be applied.
- 4.4 The County Council shall as soon as reasonably practicable following receipt of any part of the Cycle and Public Rights of Way Improvements Contribution deliver or procure the delivery of the costed and deliverable schemes in respect of which the relevant payment was made.
- 4.5 The County Council shall use best endeavours to obtain any necessary consents, licences, permissions, approvals or Traffic Orders for the Highway Works and shall enter into any such agreements as may be required with statutory undertakers for the diversion or protection of apparatus in connection with the Highway Works.
- 5. Transport Strategy**
- 5.1 The County Council shall support the delivery of the transport strategy for the Development by the Owner in accordance with the Planning Permission and this Deed.
- 6. Not Used**
- 7. Bus Provision**
- 7.1 The County Council shall support and facilitate the provision of the Bus Services by the Owner and the WACT pursuant to paragraph 5 of the Third Schedule.
- 7.2 The County Council shall (at the Owner's cost and in accordance with paragraph 5 of the Third Schedule) offering Best Value work with the Owner to procure, contract manage and review the Bus Services and for so long it is agreed by the Owner and the County Council that the County Council providing the Bus Services offers Best Value, then the County Council shall undertake the initial bus service procurement exercise to enable the Bus Services to commence before the Occupation of more than 75 Dwellings and thereafter shall continue to provide or procure the provision of the Bus Services until the Bus Services Takeover Date.
- 8. WACT**
- 8.1 Within 6 months of the Implementation Date, the County Council will give notice to the Owner, the Council and Natural England whether it wishes to nominate a representative to act as a trustee of the WACT.
- 8.2 Where the County Council has approved the WACT Implementation Agreement pursuant to paragraph 12.1 of the Third Schedule in a form that includes the County Council as a party to the WACT Implementation Agreement, the County Council will enter into the WACT Implementation Agreement when requested to do so by the Owner.
- 8.3 Upon receiving notice of the establishment of the WACT, the County Council may nominate a representative to act as a trustee of the WACT.

THE COMMON SEAL of THE COUNCIL)
OF THE BOROUGH OF GUILDFORD)
was hereunto affixed in the presence of:)



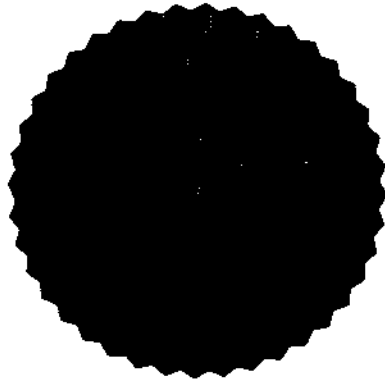
Authorized Signatory
James Whiteman
Managing Director



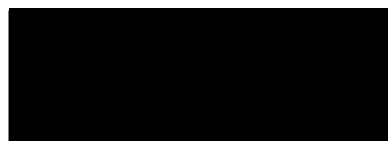
EXECUTED AS A DEED by affixing)
THE COMMON SEAL OF SURREY)
COUNTY COUNCIL in the presence of)
and attested by:)



Director of Legal Democratic and Cultural Services / Authorized Signatory

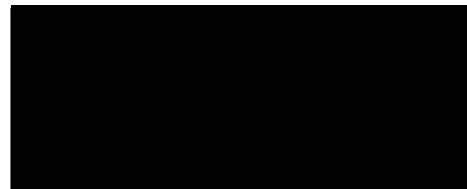


SIGNED as a DEED on behalf of WISLEY)
PROPERTY INVESTMENTS LIMITED)
a company incorporated in the Cayman)
Islands acting by:)



Director

WITNESS



CHARTERED SURVEYOR

20 PICCADILLY

LONDON W1

Appendix 1**Affordable Housing Mix**

Housing Type	Affordable Rented Housing	Other Tenures		
		Shared Ownership	Other (including Discounted Market Sale where appropriate)	Total for other tenures
1 bedroom apartment	3-9%	12%	12%	20-28%
2-bedroom apartment	10-16%	8%	8%	12-20%
2-bedroom house	14-20%	0%	0%	NONE
3-bedroom apartment	NONE	0%	0%	NONE
3-bedroom house	21-29%	0%	0%	NONE
4 bedroom +	NONE	0%	0%	NONE
Total	60%	At least 20%	No more than 20%	40%

Appendix 2

On-Site Infrastructure Management and Maintenance Headline Specifications

The standards set out below are the minimum standards required by the Council for the purposes of estimating the quantum of funds required within the WACT Endowment Scheme.

A. Usage of Community Assets

1. The Community Facility is to be capable of up to 100 hours use a week (8am to 10pm per day) with supporting caretaking and cleaning.
2. All green turf sports pitches are to have a capacity of 6 hours adult use per week.
3. The Community MUGA is to be capable of 900 hours per annum including any floodlighting use.
4. LEAPs and other open spaces are to be capable of daylight usage.

B. WACT obligations

1. General requirement where relevant to the transferred assets to manage lighting, CCTV and the removal of litter, dog waste and graffiti in the main open spaces, particularly the village centre.
2. To commission play safety inspections on an annual basis.
3. To commission a professional inspection of the buildings at an appropriate frequency and in any event not less than once every five years.

C. Target replacement times for equipment and building management

1. IT equipment - 3 years.
2. External repainting of buildings - 5 years.
3. Internal decorating of buildings - 8 years.
4. LEAP equipment - 10 years or later where indicated by the manufacturer's guarantee or guidance.
5. Sports equipment (nets, goal posts etc.) - 10 years.
6. Community Facility and changing rooms equipment (other than IT) - 15 years or later where indicated by the manufacturer's guarantee or guidance.
7. Major refurbishment of buildings - 30 years for mechanical and electrical equipment and 50 years for structural elements.

Appendix 3
SANG Management Plan

- Information for Habitats Regulations Assessment P 14/67-2F dated November 2015
- Suitable Alternative Natural Greenspace – Outline Habitat Creation & Management Plan P 14/67 3D dated November 2015
- Letter of Explanation, Revisions to SANG Design dated 25 February 2016



Wisley Airfield

Information for Habitats Regulations Assessment

Final Report
November 2015

P14/67-2F



Wisley Airfield

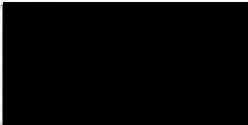
Information for Habitats Regulations Assessment

Report Release Sheet

Draft/Final: Final Report
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Client: Wisley Property Investments Ltd

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Wisley Airfield

Information for Habitats Regulations Assessment

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- Appendix 3** Proposed Highway Improvements
- Appendix 4** Details of International Sites
- Appendix 5** Visitor Questionnaire Survey Methodology and Results
- Appendix 6** Predicted HGV Movements during Construction
- Appendix 7** SANG Habitat Creation: Methods and Timescales
- Appendix 8** Ockham & Wisley Commons & Chatley Heath Visitor Guide and Self-guided Trail
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- Appendix 9** SPA User Behavioural Change Strategy
- Appendix 10** Wisley and Ockham Warden Role Profile

EXECUTIVE SUMMARY

An assessment of potential effects from the Proposed Development at Wisley Airfield on the Internationally designated Thames Basin Heaths Special Protection Area (SPA) has been undertaken. Information presented in this report is to assist Guildford Borough Council (GBC) in undertaking a Habitats Regulations Assessment (HRA) of the proposals in respect of the SPA.

Consideration has been given to potential effects from increased recreational pressure, cat predation, surface water and groundwater change, and increases in noise and air pollution as a result of increased traffic movements along the A3 and M25.

Impact avoidance and mitigation measures are proposed where the potential for negative effects has been identified.

In summary, no significant residual effects are predicted to remain following implementation of the impact avoidance and mitigation measures set out. It is the conclusion of this report that GBC can find that, subject to the necessary impact avoidance and mitigation measures being delivered there will be no likely significant effect on the Thames Basin Heaths SPA as a result of the Wisley Airfield development, either alone or in combination with other plans and projects, nor will there be an adverse effect on the integrity of the SPA.

1. INTRODUCTION

Background

- 1.1 Wisley Property Investments Ltd (the Applicants) commissioned Ecological Planning & Research Ltd (EPR) to undertake an Ecological Impact Assessment (EclA), as part of the Environmental Impact Assessment (EIA), of the potential implications for ecology of the development proposals for Wisley Airfield, which comprise a residential-led mixed-use development comprising up to 2,060 residential units, 8 Gypsy and Traveller pitches, up to 7,260sqm of commercial floorspace, including employment, retail / amenity uses, a potential health facility and community facilities. This will be referred to as 'The Site' herein.
- 1.2 In view of the nearby International level designated site for nature conservation, the Thames Basin Heaths Special Protection Area (SPA), information has been gathered in order to enable the competent authority, in this case Guildford Borough Council (GBC), to undertake a Habitats Regulations Assessment (HRA) of the proposals in view of the protection afforded to such sites under the European Directive 92/43/EEC "*on the conservation of Natural Habitats and of wild fauna and flora*" (known as the "Habitats Directive").
- 1.3 The Environmental Statement (ES) submitted pursuant to planning application 15/P/00012 outlines potential effects on designated nature conservation sites, including the Thames Basin Heaths SPA, as a result of the Proposed Development. This was accompanied by the '*Wisley Airfield Framework Thames Basin Heaths SPA Impact Avoidance and Mitigation Strategy*' which sets out the key principles for avoiding and mitigating potential adverse effects on the SPA. This report builds on these existing documents and provides additional detail to meet the requirements of the Habitats Regulations.

Scope of the Habitats Regulations Assessment

- 1.4 The Habitats Directive created a network of protected areas called "Natura 2000", which include Special Areas of Conservation (SACs), as well as Special Protection Areas (SPAs) which were originally designated under the earlier European Directive 79/409/EEC and the more recent codified version 2009/147/EC "*on the conservation of wild birds*" (known as the Birds Directive) but drawn into the Natura 2000 network by the Habitats Directive.

Relevant Legislation, Guidance and Case Law

Legislation

- 1.5 As mentioned above, the primary legislative protection detailing the protection afforded to International Sites of relevance to this report originates from the Habitats Directive. Articles 6(3) and 6(4) of the Habitats Directive are relevant to the development proposals in view of their potential to exert effects upon International Sites:

*'3. Any plan or project not directly connected with or necessary to the management of the [European] site but likely to have a significant effect thereon, either **alone or in combination***

with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives. In the light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public.

4. *If, in spite of a negative assessment of the implications for the site and in the absence of alternative solutions, a plan or project must nevertheless be carried out for imperative reasons of overriding public interest, including those of a social or economic nature, the Member State shall take all compensatory measures necessary to ensure that the overall coherence of Natura 2000 is protected. It shall inform the Commission of the compensatory measures adopted. Where the site concerned hosts a priority natural habitat type and/or a priority species, the only considerations which may be raised are those relating to human health or public safety, to beneficial consequences of primary importance for the environment or, further to an opinion from the Commission, to other imperative reasons of overriding public interest.* **[our emphasis].**

- 1.6 The Habitats Directive thus requires that a sequential approach be adopted when addressing potential impacts upon International Sites. Guidance for doing this in practice has been published by the European Commission and others, and is discussed below in paragraph 1.8.
- 1.7 The relevant sections of the Habitats Directive set out above are transposed into UK law by the Conservation of Habitats and Species Regulations 2010 (as amended). In particular, the prescriptions relating to "Appropriate Assessment" and the protection of International Sites in relation to the effects of development projects are transposed by Regulations 61 to 67

Guidance

- 1.8 There are a number of guidance documents of relevance in relation to HRA and the development proposals at the Site. These have been taken into account, and include:
- The European Commission's "Managing Natura 2000" document (2000) which provides guidance on some of the key concepts enshrined in Article 6 of the Habitats Directive;
 - The "Communication from the Commission on the Precautionary Principle" (2000a), which provides guidance on the correct application of the precautionary principle and states that it should be applied with proportionality and should not aim at zero risk;
 - The European Commission's "Assessment of Plans and Projects Significantly Affecting Natura 2000 Sites" (2001);
 - The Joint Strategic Partnership Board's (JSPB) Thames Basin Heaths SPA Delivery Framework (12 February 2009), which is a non-statutory document intended for local planning authorities; and
 - Guildford Borough Council's Thames Basin Heaths Special Protection Area Avoidance Strategy 2009-2016 (2010).

- 1.9 The National Planning Policy Framework (NPPF) (2012) also contains sections of relevance to HRA and International Sites, and this has been taken into account.

The Institute of Ecology and Environmental Assessment's Guidelines for Ecological Impact Assessment in the United Kingdom (IEEM, 2006)

- 1.10 Whilst the key guidance documents for the HRA process are those produced by the European Commission (EC, 2000a, 2000b, 2001), the approach taken in this document has also been carried out in accordance with the broad process advocated in the Institute of Ecology and Environmental Management's "Guidelines for Ecological Impact Assessment" 2006 (the "EcIA Guidelines").

- 1.11 These guidelines are endorsed by the main stakeholders in the UK planning system that have a specific responsibility for wildlife and nature conservation, including Natural England, the Environment Agency and the Wildlife Trusts.

- 1.12 Broadly, the EcIA Guidelines prescribe an approach that can be summarised as the following sequential process:

- Establishing the spatial extent of the Zone of Influence (ZOI) within which the proposed development is likely to exert biophysical changes upon the environment during either the site clearance, construction or operational phase;
- The identification, description and valuation (where possible) of ecological features and resources of value within that Zone of Influence (note that in this case the ecological features of relevance will be those for which the relevant International Sites were designated, and consequently of International nature conservation value);
- The assessment of the likely magnitude and significance of potential impacts that might be exerted upon those features and resources in the absence of any impact avoidance or mitigation measures;
- The development of impact avoidance or mitigation measures, and ecological enhancement measures to be incorporated into the project proposals;
- The assessment of any residual impact (positive or negative) that would remain following the application of any impact avoidance, mitigation or enhancement measures; and
- Advice on the consequent potential implications of relevant nature conservation related legislation or planning policy.

- 1.13 Other subject specific guidance is referred to in the relevant assessment sections in this document.

Relevant Case Law

Case C-127/02 of the European Court of Justice (ECJ) – The "Waddenzee" Case

- 1.14 The ECJ Waddenzee Case clarified a number of important points in relation to the correct interpretation of Article 6(3) of the Habitats Directive in particular. This clarification has been helpfully set out in Government Circular 06/05 "Biodiversity and Geological Conservation".

- 1.15 In particular, one of the key messages from the ECJ was that, where a plan or project has the potential to affect a Natura 2000 site, an "Appropriate Assessment" is necessary:

*"...if it cannot be excluded, on the basis of **objective information**, that it will have a significant effect on that site, either alone or in combination with other plans and projects" [our emphasis]*

[Paragraph 13 of Circular 06/05 or paragraph 44 of the Waddenzee Judgment]

- 1.16 The ECJ expanded upon this by saying that:

"...where such a plan or project has an effect on that site but is not likely to undermine its conservation objectives, it cannot be considered likely to have a significant effect on the site concerned."

[Paragraph 47 of the Waddenzee Judgement]

- 1.17 Further to the above the ECJ clarified that, once an Appropriate Assessment has been triggered, except in the circumstances outlined in Article 6(4) of the Directive, a plan or project can only be authorised where it will not have an adverse effect on the integrity of the Natura 2000 site, and that:

"That is the case where no reasonable scientific doubt remains as to the absence of such effects".

[Paragraph 21 of Circular 06/05, or paragraph 59 of the Waddenzee Judgement]

The "Dilly Lane" Case

- 1.18 The High Court judgment of J Sullivan in Hart DC v the Secretary of State for Communities and Local Government (May, 2008: the "Dilly Lane Judgment"), based upon an examination of EPR's ecological evidence, tested and upheld an important precedent in respect of the protection of the Thames Basin Heaths SPA. It was determined that measures built into a project that were designed to prevent impacts to the SPA, such as Suitable Alternative Natural Greenspace (SANG), could be taken into consideration when deciding whether or not an Appropriate Assessment is required, provided that successful delivery of those measures can be guaranteed.

- 1.19 This ruling effectively enables impact avoidance and mitigation measures to be taken into account in certain circumstances at the Screening stage of a Habitats Regulations Assessment, where they form an integral part of the project concerned and can be delivered. This is described in more detail below in view of published European guidance. Paragraph 60 of the Dilly Lane Judgement states:

"...if the competent authority is satisfied at the screening stage that the proponents of a project have fully recognised, assessed and reported the effects, and have incorporated appropriate mitigation measures into the project, there is no reason why they should ignore such measures when deciding whether an appropriate assessment is necessary".

- 1.20 One of the key messages coming from the court was that:

"As a matter of common sense, anything which encourages the proponents of plans and projects to incorporate mitigation measures at the earliest possible stage in the evolution of their plans and projects is surely to be encouraged"

- 1.21 And that, as rigorous assessment and scrutiny at the Screening stage is possible:

"... considering proposed mitigation measures at the screening stage under Article 6(3) would not be frustrating the purpose of the legislation by pre-empting any particular form of inquiry..."

- 1.22 The Dilly Lane Judgement also shed further light on what is meant by "objective evidence" in terms of the requirements of being able to reach a conclusion that an Appropriate Assessment is not necessary, and this has been taken into account in this document.

- 1.23 The Judgement also clarified the purpose of SANG in terms of the way in which it functions to protect the Thames Basin Heaths SPA:

"The purpose of the SANGS was not to lessen the increase in visitor pressure, but to avoid it altogether by drawing some existing users away from the Heath to compensate for those new residents who might use it on occasion"

The Habitats Regulations Assessment Process

- 1.24 Reference has been made to European Commission guidance on Habitats Regulations Assessment (EC, 2000a, 2000b, 2001). This guidance provides advice on meeting the correct stepwise approach required by Article 6 of the Habitats Directive. The whole process is usually referred to in the UK as "Habitats Regulations Assessment" (HRA) and is split into the following stages that are undertaken in sequence:

- Screening the need for an Appropriate Assessment;
- The "Appropriate Assessment" (AA);
- The Assessment of Alternative Solutions; and
- Assessment where no alternative solutions exist and where adverse impacts remain (also known as the test for "Imperative Reasons of Overriding Public Interest" or (IROPI).

- 1.25 Undertaking the Habitats Regulations Assessment process is the responsibility of the decision maker as the competent authority for the purposes of the Habitats Regulations (in this case GBC as the Local Planning Authority); although it is the responsibility of the proponent of a plan or project to provide the competent authority with the information that they require for this purpose.

- 1.26 It is envisaged that this report will primarily be concerned with Stage 1 (Screening) and potentially Stage 2 (Appropriate Assessment) as set out above, as an objective of the assessment will be to introduce measures to address any identified potential impact at the

earliest possible stage in the design of the proposals in line with the conclusions of the Dilly Lane Case (Hart DC v the Secretary of State for Communities and Local Government (May, 2008: the “Dilly Lane Judgment”).

- 1.27 In the first instance, this report is intended to provide the competent authority under the Habitats Regulations with the information that is required in order to determine whether or not the proposals are likely to have a significant effect on an International Site either alone or in combination with other plans and projects, and consequently whether or not an Appropriate Assessment is required. Should it be considered that an Appropriate Assessment is required, then this report also aims to supply the information that will be necessary in determining whether or not there will be an adverse effect on the integrity of the International Site(s) concerned

Preceding Plan-Level Sustainability Appraisal and Habitats Regulations Assessment

- 1.28 Guildford Borough Council is currently preparing the new Local Plan which will run to 2031. They consulted on the 'Draft Guildford borough Local Plan: strategy and sites' document in July 2014, and this was supported by a Sustainability Appraisal and Habitats Regulations Assessment carried out by URS.
- 1.29 The Screening Assessment of the URS HRA identifies that development of the Application Site could result in an increase in disturbance to the SPA and could contribute to reduced air quality due to increased traffic movements past the SPA. However the HRA concludes that sufficient SANGs can be accommodated within the Borough and specific measures to address air quality issues are set out, such that subject to the delivery of these measures *“it will be possible to conclude that no likely significant effects should occur on the Thames Basin Heaths SPA, either alone or in combination with other Plans and projects.”*
- 1.30 The Application Site is included as a Strategic Development Site within the draft Local Plan, and draft policy allocation 66 includes for the provision of 2,100 dwellings plus employment uses. The Wisley Airfield SANG is also listed in emerging policy 116.
- 1.31 Notwithstanding these draft allocations, Savills have compiled further information to assist with the assessment of alternative solutions to housing delivery in Guildford Borough, to demonstrate that the Wisley Airfield site is a sustainable and essential component to the forthcoming Local Plan; this is provided at **Appendix 1**.

Conceptual Impact Assessment Model

- 1.32 In carrying out an assessment of the potential effects of a development proposal on an International Site, the 'source-pathway-receptor' concept provides a useful model for framing and objectively evaluating the mechanisms through which potential effects may occur, and has been employed in this assessment. **Table 1** below sets out the various parts of the model and how they relate to each other.

Table 1: Conceptual Impact Assessment Model.

Source	Pathway	Receptor
Elements of the development proposals that are likely to generate or contribute towards certain environmental effects.	Changes in environmental conditions caused by aspects of the development proposals that have the potential to affect an identified impact receptor.	The interest features / conservation objectives of the International Site concerned, and the environmental conditions required to support it.

- 1.33 During the assessment process, information has been gathered relating to each part of the conceptual assessment model in respect of each potential impact upon nearby International Sites. The consideration of this information will then allow GBC as the Competent Authority to determine whether or not a potentially viable impact pathway exists between the development proposals and International Sites within the Zone of Influence of the proposals.

Scope of the Habitats Regulations Assessment Report

- 1.34 In view of the above considerations, the scope of this Habitats Regulations Assessment Report is as follows:

- To gather information to establish whether or not the Proposed Development at Wisley Airfield is likely to contribute to a significant effect on any International Sites of nature conservation importance, either alone or in combination with other plans and projects;
- To gather information to establish, if a significant impact is likely, whether or not it would adversely affect the integrity of any International Sites;
- To recommend impact avoidance and mitigation measures, if required, to address any potential impacts identified; and
- To make recommendations in relation to the requirements of the Conservation of Habitats and Species Regulations 2010 (as amended) in view of the information collected, if possible.

- 1.35 A broad principle is that adverse effects should be addressed as early as possible in the HRA process. In this respect, regard has been had to the ruling of J Sullivan in the Dilly Lane case in respect of making the impact avoidance and mitigation measures an inherent part of the scheme; designing them in at the earliest possible stage in the development of the proposals.

Consultation

- 1.36 The Competent Authority will consult Natural England as the statutory advisor on nature conservation. In assessing the scope of the EIA for the development proposals for Wisley Airfield, consultation was undertaken with Natural England; relevant parts of their response are included below and the full response is appended at **Appendix 2**.

Applicant's Consultation with Natural England

- 1.37 As the statutory nature conservation advisor under the Habitats Regulations, Natural England has been consulted during the development of the impact avoidance and mitigation strategy for the Proposed Development. Their advice and comments have been taken on board in developing the impact avoidance and mitigation strategy.
- 1.38 An EIA Scoping Opinion was sought, to which Natural England responded with a letter, dated 23rd January 2014, appended at **Appendix 2**. In summary, Natural England requested that the ES should:

"Thoroughly assess the potential for the proposal to affect designated sites. European sites (eg designated Special Areas of Conservation and Special Protection Areas) fall within the scope of the Conservation of Habitats and Species Regulations 2010. In addition paragraph 118 of the National Planning Policy Framework requires that potential Special Protection Areas, possible Special Areas of Conservation, listed or proposed Ramsar sites, and any site identified as being necessary to compensate for adverse impacts on classified, potential or possible SPAs, SACs and Ramsar sites be treated in the same way as classified sites. Under Regulation 61 of the Conservation of Habitats and Species Regulations 2010 an appropriate assessment needs to be undertaken in respect of any plan or project which is (a) likely to have a significant effect on a European site (either alone or in combination with other plans or projects) and (b) not directly connected with or necessary to the management of the site. Should a Likely Significant Effect on a European/ Internationally designated site be identified or be uncertain, the competent authority (in this case the Local Planning Authority) may need to prepare an Appropriate Assessment, in addition to consideration of impacts through the EIA process."

- 1.39 Natural England advised that a separate section of the Environmental Statement is produced to address impacts upon European and Ramsar sites entitled 'Information for Habitats Regulations Assessment' (this document), and should include but not necessarily be restricted to consideration of the following impacts:

- *"Disturbance - Disturbance impacts on the breeding bird species for which the SPA is notified, Dartford warbler, woodlark and nightjar, should be considered during both construction and operation. This should include visual and noise disturbance resulting from construction activities, and recreational disturbance from visitors and dogs and lighting from the development during operation, and how this can be avoided or mitigated. The EIA Scoping documentation refers to incorporation of Suitable Alternative Natural Greenspace (SANG) to address the impact of increased recreational pressure on the SPA. Natural England is due to engage with the applicants on pre-application advice on this critical aspect of the proposals.*
- *Edge effects - Given the proximity of proposed housing to the SPA, urban edge effects on the site should be considered including increased incidence of heathland fires and cat predation.*

- *Hydrological pollution – impacts from water pollution via drainage and surface run-off during construction and operation should be addressed, in particular in the vicinity of the watercourse present at the northern boundary of the proposed application site near the Mount Pleasant Cottages which flows to the SSSI,*
- *Air pollution – an air quality assessment should be undertaken to establish likely impacts on SPA habitat from dust production during construction and traffic emissions during construction and operation. A clear breakdown of the air quality pollutants to be emitted by the proposals, including secondary pollutants, and those generated by any traffic to and from the works, should be provided. In addition, a full assessment should be made of the impacts of the aforementioned pollutants on the SPA. Of particular concern are the potential effects of nutrient nitrogen and acid deposition on the supporting habitat of the SPA birds. An assessment of the percentage contribution of the proposals to emissions, in terms of critical loads for nitrogen and acid deposition on the SPA, should be made. The background levels should be combined with the proposed contribution to emissions from the proposals, to produce a joint percentage or 'environmental load', also expressed as a percentage of the critical load for the SPA. The pH of the SPA and the potential buffering capacity of the substrate, should also be taken into account.*
- *In combination assessment - The impacts of the proposals will need be considered in conjunction with any other permitted/ proposed plans or projects which may impact on the Thames Basin Heaths SPA."*

† 40 A meeting was held with Francesca Barker from Natural England on 21 November 2014 to discuss measures to avoid and reduce potential impacts of the Proposed Development on the Thames Basin Heaths SPA. This was summarised in an email from Charles Collins (Savills) to Francesca Barker (Natural England) on 25 November 2014, appended at **Appendix 2**. This email summarises discussions had during the meeting regarding potential mitigation measures including:

- *"Suitable Alternative Natural Greenspace (SANG) at 10 ha per 1,000 population standard;*
- *Strategic Access Management and Monitoring (SAMM) contribution (based on the standard); and*
- *A 'SAMM Plus' strategy "*

† 41 The 'SAMM Plus' strategy was discussed as containing:

- *"Access Management Strategy (AMS) which incorporates a number of highways, education, site wardening and pedestrian and cycle measures (references to the Wisley & Ockham Way ("WOW"))"*

† 42 Francesca Barker replied via email on 2 December 2014, appended at **Appendix 2**. This email included the following statement:

"I can agree that your email provides a brief overview of potential mitigation options that we discussed for the Wisley development. However, we are unable to comment on the acceptability of these proposals until they have been assessed under the Habitats Regulations."

- 1.43 A site meeting was held with Francesca Barker, Pippa Langford and Graham Steven of Natural England on 28th November 2014, wherein key principles of a bespoke Impact Avoidance and Mitigation Strategy were discussed. The notes of this meeting are appended at **Appendix 2**, and were confirmed to be an accurate representation of the meeting by Francesca Barker via email dated 2 December 2014.
- 1.44 Natural England has reviewed previous drafts of this report, in addition to the SANG Management Plan, through their Discretionary Advice Service (24 March 2015 & 26 June 2015) and comments received have been fully considered as part of further refinement of the impact avoidance and mitigation strategy.

2. CHARACTERISATION OF THE PROPOSED DEVELOPMENT

Introduction

- 2.1 Guidance from the European Commission indicates that the first stage of providing the information that is necessary for a competent authority to undertake the HRA process is for all those aspects of the subject project or plan, which either alone or in combination with other plans and projects have the potential for having a significant effect on an International Site, to be identified and characterised.
- 2.2 Undertaking such a systematic characterisation in respect of the Proposed Development at Wisley Airfield will enable the various aspects of the project to then be related to the particular sensitivities of the Thames Basin Heaths SPA, so that the potential ways in which the former may affect the latter can be examined.

Relevant Details of the Proposed Development

- 2.3 Information about the Site, including its location and context with the Thames Basin Heaths SPA, and about the Proposed Development is set out below.

Site Location and Context

- 2.4 The site of the proposed development lies entirely within Guildford Borough in the County of Surrey. It is located in the Lovelace Ward and is situated to the north of Ockham and south of the M25/A3 Junction (**Map 1**).
- 2.5 The site boundary encompasses an area of approximately 114.7 hectares and comprises a disused airfield and areas of farmland, scrub and woodland. To the north of the airfield lies Ockham and Wisley Common, to the west the A3, to the south the village of Ockham and to the east Old Lane.
- 2.6 The airfield was built in 1944 for the testing of aircraft built at the nearby Brooklands factory. It was used during the Cold War and was closed in 1972. The airfield is no longer in operation, although the runway and large areas of hard-standing still survive. Most buildings have been demolished. An air traffic navigation beacon is present in the south-east corner of the site.
- 2.7 A portion of the site has planning permission for the construction and operation of an 'In Vessel Composting' (IVC) facility (16.75 ha). 69 ha of the site has an allocation in the emerging GBC Local Plan as a new settlement and 39 ha in the north of the site has a draft allocation as SANG in the same document (Allocation 66, as described at paragraph 1.29).

Development Proposal

- 2.8 A description of the Proposed Development can be found in the Design and Access Statement that was submitted with the aforementioned planning application. A summary of the proposals is given below, and principal site areas are shown on **Map 2**:

"Development of a high quality, sustainable community which responds positively to the geographical, political and economic context of the site. The development will include up to 2,060 homes, 8 traveller pitches and up to 7,000 sq m of new commercial, retail, leisure and community floorspace.

There is a strategic transport plan, comprising both a public transport strategy and a sustainable transport plan to integrate the development with the local area. There will be space for shops, a GP surgery, cafe(s), an all through school and community facilities and it will be served by footpaths and cycleways offering safe and easy connections to other facilities in the surroundings.

More than half of the site will be public open space incorporating areas of existing woodland, a viewing hill and a wetland area as part of the Sustainable Urban Drainage System (SUDS). The parkland will provide a range of wildlife habitats and offers a variety of activities for the wider community.

The vision for Wisley Airfield is to deliver a development which will incorporate elements of lifestyle deemed important in the 21st century. This will include reducing the need to travel through the provision of employment opportunities on site, and facilities to support home working. Furthermore the development will require its own shared infrastructure and services, further enabling the residents to form a sustainable community. Wisley Airfield residents, as well as the wider community, will have access to local amenities, a school and community facilities as well as health facilities.

The site will bring significant improvements to the local recreation facilities, providing play areas and sports pitches and enhancing access to public space. Wisley Airfield offers the opportunity to bring about a sustainable development which will offer real lifestyle choices, brought forward and delivered by a client whose long-term view will enable the community to establish a lasting quality and appeal."

- 2.9 Transport mitigation measures prescribed for the Proposed Development have a particular bearing on the HRA process, since they result in modification of traffic flows within the local highway network with consequent effects on the distribution of traffic noise, car borne atmospheric pollution and accessibility of SPA car parks by car from particular directions. The measures prescribed that are of relevance to the assessment of likely significant effects on the Thames Basin Heaths SPA, and which are discussed further in **Section 5**, include:

- Proposed highways measures between Boldermere car park and Pond car park on Old Lane, restricting traffic coming from the north accessing Pond car park to the south;

- Closure of Elm Lane to motor vehicles with a new access route to Elm Corner provided through the proposed development site;
- Potential road closure on Plough Lane north of the M25 at Pointers Green; and
- Potential road closure along Ockham Lane adjacent to the site access.

2.10 **Appendix 3** also contains plans produced by WSP illustrating the proposed modifications.

Definition of the Zone of Influence (ZOI)

2.11 Defining the potential Zone of Influence of the Proposed Development is a two-way process involving the following two considerations that must be investigated in parallel:

- The likely spatial extent of any biophysical changes that might be exerted by the Proposed Development on the surrounding environment; and
- The particular sensitivities of relevant International Sites in terms of whether they are likely to be affected by any such biophysical changes (this consideration must be made in relation to the features for which the International Sites were designated, their "conservation objectives", and the environmental conditions that are required to support them).

2.12 Potential biophysical changes that could be caused by the Proposed Development during the construction and operation phases that might lead to ecological impacts beyond the Site boundary are considered to be:

- Introduction of new residents resulting in an increase in public access and recreational pressure during the operation phase, with the potential to increase SPA bird disturbance and other urban edge effects such as increased risk of fire;
- Increased predation of SPA birds as a result of an increase in the local cat population during the operation phase;
- Noise from construction activity generated during the construction phase and noise from increased traffic during the operation phase potentially leading to disturbance of SPA birds;
- Pollution or changes in quality of surface or groundwater from liberation of any residual soil or ground contamination, and mobilisation of such substances in, and transport to, local water courses or groundwater during the construction phase potentially affecting SPA habitats and in turn SPA birds;
- Changes in the quantity of surface water or groundwater entering watercourses or aquifers during the operation phase potentially affecting SPA habitats and in turn SPA birds;
- Liberation, air transport and deposition of dust due to construction and construction traffic movements during the construction phase potentially leading to damage to SPA habitats; and

- Emissions to air of pollutants from traffic during the operation phase potentially leading to changes in SPA habitats.
- 2.13 In view of these potential biophysical changes the potential Zone of Influence is predicted to include much of the Site but to also extend beyond the Site boundary.
- 2.14 With respect to recreational pressure this may extend up to several kilometres from the Site boundary, although evidence indicates that the main effects (in the absence of impact avoidance measures) would occur within 5 km of the Site (Liley et al. 2005; Fearnley & Liley, 2012; JSPB, 2009).
- 2.15 The Thames Basin Heaths SPA Delivery Framework (JSPB, 2009) prescribes a 400m housing exclusion zone within which *"the impact of net new development on the SPA is likely to be such that it is not possible to conclude no adverse effect on the SPA"*. It goes on to state that *"In exceptional circumstances the 400m distance may be modified by local authorities to take account of physical obstructions to cat movement and human access"*. The 400m exclusion zone is therefore set, in part, by the distance within which significant effects on the SPA as a result of cat movement and consequently predation cannot be precluded. Further evidence regarding cat roaming distance is also provided within the South East Plan Assessors Report which states that *"...the definition of Zone A [400m] is largely based on the average distance cats travel to hunt"* (Burley, 2007). Therefore the potential Zone of Influence in respect of effects arising from increased ownership of cats within the development is anticipated to extend up to 400m from the Site boundary.
- 2.16 For noise the potential Zone of Influence may extend at least 200 m from the boundary of the Assessment Site during the construction phase, or 200m from highways that are anticipated to receive a significant increase in traffic during the operational phase.
- 2.17 For surface and groundwater, the potential Zone of Influence may extend at least as far as the limits of the relevant catchments.
- 2.18 In terms of potential dust emissions during the construction phase, Chapter 6 of the ES explains that dust particulates may disperse up to 350m from the point source, which therefore has the potential to extend beyond the Site boundary into adjacent International Sites.
- 2.19 In terms of air pollution the potential Zone of Influence may extend up to 200 m from roads where the proposals are considered to have the potential to lead to material increases in traffic and are within 200 m of International Sites.
- 2.20 Detailed consideration of the potential Zone of Influence in respect of each potential impact arising from these potential biophysical changes is presented at the start of each impact assessment section (**Sections 5 to 9**).

3. CHARACTERISATION OF INTERNATIONAL SITES

International Sites Considered to be Within the Potential Zone of Influence of the Proposed Development

3.1 **Map 1** shows the locations of International Sites within around 5 km of the Site, as follows:

- The Thames Basin Heaths SPA

3.2 Following a request for an EIA Scoping Opinion for the Proposed Development, GBC concluded on the advice of Natural England, that the following International Site needs to be considered further in the EIA and HRA.

- The Thames Basin Heath SPA

3.3 The citation, data sheet and a summary of the conservation objectives for the Thames Basin Heaths SPA are included in **Appendix 4**. A summary of the site and its qualifying features follows.

The Thames Basin Heaths SPA

3.4 The Thames Basin Heaths SPA covers an area of approximately 8,274.72 ha. The site is located across the counties of Surrey, Hampshire and Berkshire in southern England.

3.5 The Thames Basin Heaths is a network of lowland heathland sites, designated as a Special Protection Area (SPA) in March 2005 for its internationally important populations of three species of rare bird, Dartford Warbler, Woodlark and Nightjar, all of which are listed in Annex 1 of European Directive 79/409/EEC (the 'Birds Directive') (now codified by Directive 2009/147/EC) and nest either on or close to the ground. The SPA designation was originally created by the Birds Directive and later drawn into the "Natura 2000" network of protected areas by European Directive 92/43/EEC (the 'Habitats Directive').

3.6 Ockham and Wisley Common Site of Special Scientific Interest (SSSI) is a component SSSI of the Thames Basin Heaths SPA, covering approximately 264 ha. It is made up of nine separate units, categorised as dwarf shrub heath, standing open water and canals.

3.7 The SSSI was designated for the rich community of heathland plants and animals that it supports, including a large number of rare and local insects. The SSSI is of National importance, including specifically for dragonflies and damselflies (Odonata) and true flies (Diptera). It also supports a large colony of bog hairgrass *Deschampsia setacea* which is local in Britain and rare in Europe as a whole.

Conservation Objectives for Thames Basin Heaths SPA

3.8 The conservation objectives for the Thames Basin Heaths SPA are listed as follows:

“Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring;

- *The extent and distribution of the habitats of the qualifying features;*
- *The structure and function of the habitats of the qualifying features;*
- *The supporting processes on which the habitats of the qualifying features rely;*
- *The population of each of the qualifying features; and*
- *The distribution of the qualifying features within the site.”*

Current Condition of Ockham and Wisley Common SSSI

3.9 With reference to the SSSI condition assessment, 33.19% of the SSSI has been classified as Favourable and 66.81% has been classified as Unfavourable, Recovering.

3.10 The closest component units of the Thames Basin Heaths SPA are Bolder Mere, Bolder Mere Lake and Ockham Common. These units are considered to have a conservation status of Unfavourable, Recovering, largely due to encroachment from trees and scrub.

3.11 **Table 2** (below) provides a summary of the condition of the SSSI units, which are also shown on **Map 3**.

Table 2: Summary of Ockham and Wisley Common SSSI Units.

Unit Number	Unit Name	Condition	Habitat	Reason for Condition
003	Wisley Common (E)	Unfavourable Recovering	Dwarf shrub heath – Lowland	Scrub encroachment has been managed to allow heather regeneration. More scrub and bracken management needed.
004	Pond Farm Pond	Favourable	Standing open water	Good range of aquatic species, grazing is controlling <i>Molinia</i> growth.
005	Wisley Common (W)	Favourable	Dwarf shrub heath – Lowland	Grazing and bracken spraying ensure that the dry heathland meet all targets.
006	Wisley Common Bog	Unfavourable Recovering	Standing open water	Willow, floating club rush and <i>Crassula</i> invasion. All require management before they begin to dominate the bog habitat.
007	Bolder Mere	Unfavourable Recovering	Dwarf shrub heath – Lowland	Rhododendron, Pine and sweet chestnut beginning to dominate, as well as some other tree and scrub species. Thinning of pine trees is required, along with ongoing management of rhododendron to allow heather to re-establish.
008	Bolder Mere Lake	Unfavourable Recovering	Standing open water	<i>Crassula</i> reaches most areas of the lake, although spraying has been carried out. A water framework directive project is underway to investigate sediment and water column nutrient levels and determine the effects of run-off from the road. The fish population also requires investigation, with potential removal of some fish to establish a healthy ecosystem.
009	Ockham Common	Unfavourable Recovering	Dwarf shrub heath – Lowland	Some forestry work has allowed for some heather regeneration. More pine/birch clearance required as well as weed pulling and grazing to encourage areas of bare ground.
010	Chatley Heath	Favourable	Dwarf shrub heath – Lowland	Tree and scrub clearance undertaken under the HLS agreement has resulted in this unit moving from unfavourable recovering to favourable.
012	Land north of M25	Unfavourable Recovering	Dwarf shrub heath – Lowland	Whilst not containing any heathland vegetation, it is still a good example of secondary woodland with value for invertebrates and birds.

Current Distribution of Annex 1 Birds

- 3.12 Data on the distribution of Annex 1 bird species across Wisley and Ockham Commons SSSI was obtained from 2J's Ecology for the years 2010-2014.
- 3.13 The records from the 2010-2014 surveys are shown on **Map 3** and broadly indicate that the majority of Nightjar are distributed in units 9 and 10, located to the north of the site and to the east of the A3 (Ockham Common). Units 3 and 5 are located to the west of the A3 within Wisley Common where Woodlark numbers are higher. The closest Nightjar territory recorded within the survey period was approximately 560m of the Application Site boundary, within Ockham Common, and the closest Woodlark territory approximately 750m north of the Application Site boundary.
- 3.14 The numbers of territories held by Nightjar and Woodlark between 2010 and 2014 are set out in **Table 3** below. **Table 3** shows that territories have shifted spatially between units but total numbers have remained fairly constant across the SSSI. No Dartford Warbler territories were recorded by 2 J's Ecology between 2010-2014, although signs on site containing 'Winter Ranger Notes' for Wisley Common and Ockham and Chatley Heath, 2014-2015 report the return of Dartford Warbler.

Table 3: Annex 1 bird distribution and territory number between 2010-2014 within Wisley and Ockham Commons SSSI. WL=Woodlark; NJ=Nightjar; number = territories held that year, per unit.

		SSSI Unit				Total
		3	5	9	10	
Year	2010	WL 1	WL 1	WL 1, NJ 1	NJ 1	WL 3 NJ 1
	2011	WL 2	WL 1	NJ 1	NJ 4	WL 3 NJ 5
	2012	WL 1, NJ 1	WL 2	WL 1, NJ 2	NJ 3	WL 4 NJ 6
	2013	WL 1	WL 2	WL 1, NJ 2	NJ 2	WL 4 NJ 4
	2014	WL 1, NJ 1	WL 2	WL 1, NJ 1	NJ 3	WL 4 NJ 5

4. ASSESSMENT OF POTENTIAL EFFECTS ON INTERNATIONAL SITES

Introduction

- 4.1 This section uses the Source-Pathway-Receptor model to outline how the International Site qualifying features might be adversely affected by the changes predicted to arise as a result of the Proposed Development *in the absence of impact avoidance and mitigation* measures. Each is then considered in greater detail in the following sections (**Sections 5 to 9**).
- 4.2 The source of potential effects in each case derives from the construction and operation of the Proposed Development.

Sensitivity of Qualifying Features

- 4.3 Descriptions of the sensitivity of the qualifying features of each International Site and their vulnerability to potential impacts are summarised here with details given in the relevant impact assessment sections (**Sections 5 to 9**).

Species Disturbance

- 4.4 The following potential impact Pathways are identified with regard to Species Disturbance:

- Recreational pressure;
- Cat predation; and
- Noise.

- 4.5 The Receptors are:

- the Thames Basin Heaths SPA qualifying Annex 1 birds.

- 4.6 The sensitivity of the Receptors in respect of each Pathway is as follows:

Recreational Pressure

- 4.7 Birds can be sensitive to increased recreational use of nearby land by residents from new housing since this may disturb their feeding and breeding behaviour, potentially leading to adverse effects. Potential impacts are assessed in **Section 5**.

Cat Predation

- 4.8 Birds are vulnerable to direct predation by cats and associated disturbance effects. Potential impacts are assessed in **Section 6**.

Noise

- 4.9 Birds can be sensitive to increased levels of noise during the construction and operation phases. This may be of sufficient magnitude or duration to disturb their feeding and breeding behaviour, potentially leading to adverse effects on populations. Potential impacts are assessed in **Section 7**

Habitat Damage

- 4.10 The following potential impact Pathways are identified with regard to Habitat Damage:

- Recreational pressure;
- Water quality and quantity;
- Air pollution.

- 4.11 The Receptors are:

- Habitats supporting Annex 1 bird species.

- 4.12 The sensitivity of the Receptors in respect of each Pathway is as follows:

Recreational Pressure

- 4.13 In addition to disturbance effects on birds, increased recreational use has the potential to result in trampling and habitat fragmentation as a result of the creation of desire lines, eutrophication of habitats as a result of dog fouling and littering, and increased risk of wildfire. Potential impacts are assessed in **Section 5**.

Water Quality and Quantity

- 4.14 Heathland and woodland habitats are sensitive to the effects of changes in surface water and groundwater quality from pollution, and to changes in water quantity which may affect the water table and water levels essential for supporting heathland and woodland habitats and vegetation communities. Potential impacts are assessed in **Section 8**.

Air Pollution

- 4.15 Many terrestrial habitats are sensitive to changes in air quality, including atmospheric nitrogen dioxide concentrations usually associated with traffic and leading to localised effects, and nutrient deposition and acidification which may lead to changes in habitat composition and condition in the long term. Plants are vulnerable to deposition of dust which may occur during the construction phase since it may smother vegetation to such a degree that it causes localised vegetation dieback. Potential impacts are assessed in **Section 9**.

5. RECREATIONAL PRESSURE

Introduction

- 5.1 This section considers the potential effects of increased recreational pressure generated during the operational phase of the Proposed Development on the Thames Basin Heaths SPA, principally in terms of disturbance to qualifying SPA birds.
- 5.2 When reading this section reference should be made to the *Wisley Airfield, Framework Thames Basin Heaths SPA: Impact Avoidance and Mitigation Strategy* report included as Appendix 4.3 to the ES.

Receptor Sensitivity

- 5.3 The effects of public access and recreational pressure on populations of Annex 1 heathland birds have been studied in detail, as reviewed by Underhill-Day (2006).
- Studies across a range of bird species have shown that effects from human disturbance can be both indirect and complex. Effects can include restriction of nest site choice, reduced breeding success, changes in population breeding density, and lower foraging rates.
 - Mechanisms for reduced reproductive success have included, nest trampling, predation of eggs or chicks by dogs, flushing of adults leading to predation of eggs or young by natural predators or increased mortality as a result of young being separated from parents.
 - Effects have included poorer site fidelity, increased energy expenditure, changes in nest site choice, lower breeding densities, changes in community structure with increases in common species and negative effects on rarer species, failure of pairs to breed or abandonment of nest before or after egg laying or hatching, increased predation rates, reduced incubation or brooding times and lower feeding rates.
- 5.4 Increases in recreational pressure have the potential to result in the following effects on Annex 1 birds and habitats supporting Annex 1 birds:
- Disturbance as a result of recreation, particularly walking dogs off leads, which has the potential to cause increased nest predation and death of chicks through exposure whilst parents are flushed from the nest, both resulting in a reduction in species density.
 - Predation, either through direct predation from dogs on birds, their eggs or chicks, or through disturbance resulting in an increase in corvid predation once birds are flushed from nests – as described above.
 - Trampling causing habitat erosion and accidental trampling of eggs.

- Fragmentation within heathland as a result of the creation of new, and widening of, existing paths;
- Enrichment through dog defecation and potentially littering resulting in effects on the composition of habitats.

Defining the Zone of Influence

- 5.5 The potential Zone of Influence with respect to recreational pressure may extend up to several kilometres from the Site boundary, although evidence indicates that the main effects (in the absence of impact avoidance measures) would occur within 5 km of the site boundary (Liley et al. 2005; Fearnley & Liley, 2013; JSPB, 2009).

Assessment Methodology

- 5.6 Existing information regarding the patterns of access to Wisley and Ockham Commons SSSI gathered as part of research undertaken across the Thames Basin Heaths by Liley *et al.* (2005 & 2012) was assessed as part of a desktop study.
- 5.7 Further site specific information was obtained from the results of a visitor survey carried out by Ecology Solutions in 2014 on behalf of Wisley Property Investments Ltd. (access points surveyed are shown on **Map 4**), in addition to a second visitor survey that was designed by EPR and carried out by Marketing Means in July 2015 (access points surveyed are shown on **Map 5**, with a summary of the methodology and results provided at **Appendix 5**).

Assessment of Likely Significant Effects

Construction Phase

- 5.8 There are no predicted recreational impacts associated with the construction phase.

Operational Phase

Baseline Recreational Pressure

TBH-wide Survey

- 5.9 In order to understand the patterns of visitor access to the Thames Basin Heaths SPA, Natural England commissioned a TBH-wide visitor survey, which was carried out in 2005 and reported by Liley et al. (2005). In 2012 this survey was repeated in order to monitor any changes in visitor access patterns since the 2005 study (Fearnley & Liley, 2012).
- 5.10 Across the SPA as a whole, the surveys found that the largest user group is dog walkers, with a high proportion of people interviewed on site being accompanied by at least one dog. Two-thirds of those with a dog walked with the dog off the lead. Most people visiting were

local residents who visited once a week, or in the case of dog walkers daily. Most people arrived by car, although this varied with location, and most visits lasted less than 1 hour. A high proportion of visitors travel from locations within 5km of the SPA, with 94% of postcodes returned during the 2012 survey within 5km of the SPA boundary.

- 5.11 Two access points on Wisley and Ockham Commons SSSI were surveyed in 2005 and 2012 as part of these studies. These included access point 25 near Wisley RHS to the west of the A3 on Wisley Common (Wren's Nest car park), and access point 26 on the east side of the A3 at the main Boldermere car park. In the most recent 2012 study, these access points received low to moderate visitor numbers in the context of the whole SPA, with 111 people (adults and children) and 47 dogs entering the Boldermere car park and 120 people and 109 dogs entering the Wren's Nest car park. Numbers of people entering access points 25 and 26 at Wisley and Ockham Commons SSSI represent 1.9% and 1.7%, respectively, of the total number of people entering access points surveyed across the whole SPA.
- 5.12 All visitors to access point 25 (Wisley Common) arrived by car, and only 1 person arrived at access point 26 (Ockham Common) on foot. Routes walked on site are shown in **Figure 1** below, extracted from Fearnley & Liley (2012). On Ockham Common, all of the routes were focussed on land to the north of Old Lane, where routes presumably start and head east from the main car park.

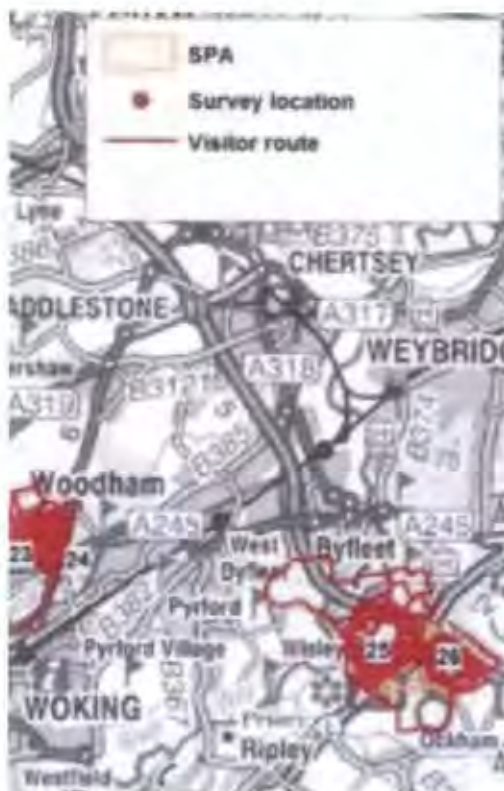


Figure 1: Walking routes recorded by Fearnley & Liley in 2012 for Wisley and Ockham Commons, extracted from Map 7.

- 5.13 The 2012 report concludes, following a comparison of 2005 and 2012 survey data, "there is therefore no evidence of an increase in visitor numbers despite an apparent increase in housing."
- 5.14 Finally, one of the questions asked during the 2012 survey was "what features would be necessary to make another site attractive for you to use instead of here?". Although many people answered 'nothing' other commonly returned answers (in descending popularity) included 'large open space', 'close to home', 'attractive scenery', 'circular walks', 'more dog friendly', 'better/easier parking' and 'better path surfacing/network'. For those that returned 'other' for the Ockham Common access point that is closest to the Application Site, the most common responses were 'more dog friendly', 'safe' and 'more facilities (benches, interpretation, refreshments'.

Site-specific Survey: 2014

- 5.15 In addition to the work carried out by Footprint Ecology, Ecology Solutions were instructed by Wisley Property Investments to carry out a count of visitors to the two car parks at Ockham Common (Boldermere and Pond car parks) and the four Public Rights of Way running through the Application Site. The access points surveyed over a total of 48 hours are shown on **Map 4**, and visitor numbers recorded are shown in **Table 4**. Counts were carried out at each access point on simultaneous dates in April 2014. Postcodes were recorded to enable visitor origins to be mapped, also shown on **Map 4**.

Table 4: Results of Ecology Solutions Visitor Count, 2014.

Access Point	Total number of visitors recorded	Number of hours surveyed	Average number of visitors recorded / hour	Number of visitors expected in a 12 hour day
1 (Bridleway 544)	139	48	2.90	34.75
2 (Footpath 15)	69	48	1.44	17.25
3 (Bridleway 16)	38	48	0.79	9.5
4 (Footpath 19)	82	48	1.71	20.5
5 (Boldermere car park. AP 26 of Footprint study)	343	48	7.15	85.75
6 (Pond car park)	408	48	8.50	102

- 5.16 The number of visitors recorded at the Boldermere car park during the Ecology Solutions survey per hour were broadly equivalent to the number recorded during the 2012 Footprint Ecology study (although Footprint Ecology were not able to survey for the full 16 hours at this access point owing to 'antisocial behaviour' and so their per hour count is likely to represent an underestimate of visitor numbers across the 16 hour survey period).

Site-specific Survey: 2015

- 5.17 In order to further refine the impact avoidance and mitigation strategy for the Wisley Airfield scheme, Wisley Property Investments Ltd. instructed a second site-specific visitor survey which was designed by EPR and carried out by Marketing Means in July 2015. Further details regarding this survey are provided at **Appendix 5** and access points surveyed are shown on **Map 5**; access points included the two main vehicular access points at Boldermere and Pond car park, but also two pedestrian access points to the southeast.
- 5.18 94 interviews were completed during the survey, with a total of 140 people and 111 dogs present within the groups interviewed, however 198 people and 234 dogs were recorded exiting the site in total during the 16 hours of survey. Relatively high interview refusal rates were encountered, as was noted during the 2012 Fearnley & Liley study, which related to access to the café at the Boldermere car park and hot weather conditions during the surveys, however sufficient data to understand the patterns of access to the site was still collected. The patterns of visitor access were consistent with the TBH-wide surveys carried out in 2005 and 2012 (Liley et al. 2005; Fearnley & Liley, 2012). Visitor counts and origins were also consistent with the Ecology Solutions survey of 2014 (**Map 4**).
- 5.19 The largest user group was dog walkers, with 90% of visitors being accompanied by a dog, 83% of dog walkers walked their dog off the lead. Most people visiting were local residents who visited once a week or two-three times a week. Most people arrived by car with visits lasting between 30 minutes and 1 hour.
- 5.20 Routes walked on site are shown on **Map 6**, with all routes focussed on land to the north of Old Lane. Visitors predominantly took routes around the perimeter of Ockham Common, where the greatest density of recreational pressure was recorded, and the network of paths criss-crossing through the central heathland area were also used to a lesser degree. Routes taken on the day of the visit were predominantly similar to routes taken during other visits.
- 5.21 Most people visited owing to the ability to let the dog off the lead, because the site has good car parking, because the site was close to home, because of the length and variety of paths/tracks and because of the look and feel of the site. Roughly half of visitors interviewed visit other open spaces for the same purpose, with popular alternative sites including Bookham Common, Esher Common, Chobham Common, Newlands Corner, Sheeples on the North Downs and other local open spaces. Alternatives sites are generally visited to make a change/for variety, because they are more convenient/closer to home, because they have good car parking and because dogs can be let off the lead. Roughly half (53%) of visitors interviewed said that they would use new open space if it were provided in the local area, and a further 13% said that they would but only if it were dog friendly, had parking, with a further 8% saying that they would if it had the right features/character, 7% if it was close to home and 5% if it was large and open. Only 1% said that they wouldn't use new open space if it were provided.

Summary of Baseline Pressure

- 5.22 Taking the upper and lower number of visits per hour made to Wisley and Ockham Common, as recorded during a combination of the 2012 (Fearnley & Liley, 2012), 2014 (Ecology

Solutions) and 2015 (Marketing Means) surveys, visitor numbers per annum would be estimated at between 70,737 and 84,972 based upon an average day length of 12 hours per day and visits 365 days per year. The 2005 study estimated that 5,365,500 visits are made to the Thames Basin Heaths per year, and with the 10% increase in visitation estimated from the 2012 survey, total visitation per annum would be projected at 5,902,050. Current estimated visits to Wisley and Ockham Commons SSSI would therefore represent between 1.2 and 1.4% of visits to the whole SPA.

Potential Change in the Pattern of Baseline Recreational Pressure

5.23 **Section 2** (and **Appendix 3**) provides a summary of the Highway improvement measures proposed within the scheme, which include:

- Proposed highways measures between Boldermere car park and Pond car park on Old Lane, restricting traffic coming from the north accessing Pond car park to the south;
- Closure of Elm Lane to motor vehicles with a new access route to Elm Corner provided through the proposed development site;
- Potential road closure on Plough Lane north of the M25 at Pointers Green; and
- Potential road closure along Ockham Lane adjacent to the site access.

5.24 Further information regarding these improvements is provided in Chapter 14 of the submitted ES.

5.25 These measures would be secured by S106 contribution and can be imposed by a Traffic Regulation Order; during pre-application consultation, Surrey County Council has expressed their support and willingness to accept funds to affect traffic restrictions to Pond car park.

5.26 The results of the Ecology Solutions Visitor Survey (2014) have been used to consider the potential effect of the proposed Highways measures on the baseline patterns of access to the SPA. This survey data has been used owing to the higher sampling effort employed (relative to the 2015 survey which was focussed on obtaining qualitative information regarding visitation), which provides a more accurate understanding of the number of visitors whose access to the SPA is likely to be impeded by the proposed Highways measures.

5.27 Visitors accessing Ockham Common currently park at two locations; Boldermere car park and Pond car park (access points 5 and 6 on **Map 4**). The proposed Highways measures to prevent southbound traffic along Ockham Lane after Boldermere car park and to prevent westwards travel along Plough Lane would effectively prevent access to Pond car park for visitors travelling from 'inside' the M25 (refer to **Appendix 3**). Examination of the points of origin of existing SPA visitors accessing Pond car park during the Ecology Solutions visitor survey indicates that access for 11% of existing SPA visiting households would have been restricted had the proposed Highways measures been in place during the survey.

- 5.28 Restricted access to Pond car park for residents living inside the M25 is likely to divert a proportion of the baseline visitation to Boldermere car park, which will still be accessible off the A3. Whilst broadly the same areas of Ockham Common are accessible on foot from both the Boldermere and Pond car parks, rendering the potential effects of visits from these access points virtually indistinguishable, concentrating access at Boldermere car park would have the benefit of allowing access management efforts to be further focussed at this location. It would also mean that a higher proportion of visits, including any anti-social or irresponsible behaviour associated with those visits, could be 'policed' from a single location increasing the likelihood for achieving positive control of unwanted behaviour. Whilst the baseline of visits to the SPA may therefore only be partly reduced as a result of the Highways measures, the potential for impacts to arise as a result of those visits is likely to be reduced, having a positive effect on restoring the site to favourable conservation status and helping to achieve the conservation objectives for the SPA.
- 5.29 Notwithstanding that, Boldermere car park has a limited size, and is already well-used, therefore increasing the number of visits made at this location is likely to increase the perception of this access point being 'busy', and in peak times of activity car park space availability could become limited. This has the potential to prompt visitors to select alternative recreational sites in the local area with adequate car parking or car parking locations that are less 'busy', which given suitable advertising could result in visits being diverted to the Wisley SANG. The most logical and direct way to access Pond car park following construction of the one-way stop on Old Lane (and with reference to **Appendix 3**) will be through the new Wisley settlement and past the car park to the Wisley SANG, further increasing the likelihood of the SANG intercepting a proportion of baseline SPA visits.
- 5.30 The proposed Highways measures therefore have the potential to result in positive effects on the baseline level of recreational pressure on the SPA, either by reducing the propensity for visits to result in negative effects on the qualifying features of the SPA, or by reducing the baseline number of visits to the SPA and any associated impacts.

Potential Increase in Visitation

- 5.31 The key component of the Proposed Development with the potential to affect SPA birds in the absence of impact avoidance and mitigation measures is the proposal for 2,060 new dwellings and 8 Gypsy and Traveller pitches which will introduce new residents in to the area who may choose to pursue recreational activity such as dog walking within the SPA. 60 C2 Use Class dwellings have been excluded from this assessment on the basis that they will accommodate residents with limited mobility (and not staff within self-contained accommodation) who are unlikely to recreate within the SPA and who will not be able to own pets owing to a pet covenant that will be enforced by the accommodation management company. These characteristics of the C2 Use Class can be made the subject of planning condition or obligation, in order to secure no potential for contribution towards an effect on the SPA.
- 5.32 Based upon an occupancy ratio of 2.4 people per dwelling, these 2,008 new homes would generate an increase in 4,819 new residents within the Zone of Influence of the SPA.

- 5.33 The Pet Food Manufacturers Association (PFMA) website provides regional statistics for dog ownership, and for the south east the proportion of households owning a least one dog is 22%. The 2012 TBH visitor survey found that dog owning groups interviewed were accompanied by on average 1.6 dogs, whereas the 2015 Marketing Means site-specific survey found that the figure was 1.3 dogs/dog owning group. Taking the upper figure as a precautionary figure, 22% of houses within the Proposed Development would account for 442 dog owning households, owning a total of 707 dogs.
- 5.34 The JSPB (JSPB, 2009) and Guildford Borough Council (GBC, 2010) advocate a 400m exclusion zone within which the effect of new residential development on the SPA cannot usually be successfully avoided or mitigated owing to the ease of human (and cat) movement at such distances. Natural England's SANG Guidelines (NE, 2008) and their original Draft Delivery Plan (EN, 2006) describe 400m as an 'easy walking distance' such that should housing be delivered within the 400m visitor catchment of a SANG the provision of car parking is not considered to be a 'must have' feature of the SANG because residents will be living 'within easy walking distance' of the SANG.
- 5.35 Although the proposed housing will be located outside of the 400m zone, all of the houses will be located within 800m of the SPA. Whilst this distance from the SPA may be too far for some residents to access on foot, the SPA would still be easily accessible by car or by other non-mechanical transport means. People do, however, prefer to visit sites that are close to home (Liley et al. 2005; Fearnley & Liley, 2012) and research carried out by EPR for other development projects has found that people prefer to walk to open spaces if possible. Furthermore, the number of visits made by car to the SPA will be limited by the availability of car parking spaces, and the 2012 visitor survey found that car parking provision had an influence on the attractiveness of a site, therefore the perception of whether a car park space is likely to be available may influence site selection.
- 5.36 There are therefore a number of factors that may influence the propensity of new residents to visit the SPA, but in the absence of impact avoidance and mitigation measures the proposed increase in housing would be highly likely to generate additional SPA visits, and a proportion of SPA visits accompanied by dogs, resulting in an increase in recreational pressure and a likely significant effect on the SPA when considered in combination with effects arising from other foreseeable developments in the area.

Impact Avoidance and Mitigation

- 5.37 In line with the Thames Basin Heaths Special Protection Area Delivery Framework (JSPB, 2009) GBC's own TBH SPA Avoidance Strategy 2009-2016 (adopted 2010, but extended to 2016) advocates a 'three pronged approach' to overcoming adverse effects on the SPA. The three 'prongs' identified are:
- The provision of Suitable Alternative Natural Green space (SANG) to attract people away from the SPA and hence reduce pressure on it- to be delivered via developer contributions to strategic SANG or through developer provision of bespoke SANG, with SANG provision conforming to quantum and quality requirements as described in the Strategy;

- Access management measures on, and monitoring of, the SPA to reduce the impact of people who visit the SPA- to be delivered through developer contributions to the TBH-wide SAMM Project, with GBC collecting funds through a per dwelling tariff, and
 - Habitat management of the SPA which will improve the habitat for the ground nesting birds- the responsibility of SPA landowners and falling outside of the development control system.
- 5.38 A bespoke impact avoidance and mitigation strategy for the Proposed Development has been developed based upon the first two-prongs of GBC's impact avoidance and mitigation requirements, as detailed further below.

SANG

Quantity of SANG Required

Basis for Minimum Provision Rate

- 5.39 GBC requires that SANG is provided at a rate of at least 8 ha per 1,000 new residents with the number of new residents calculated at 2.4 people per dwelling.
- 5.40 While SANG is normally provided at this provision rate, this figure can vary according to site circumstances. In pre-application discussions with NE, it was established that the development should provide over and above the normal requirement of SANG due to its proximity to the SPA and the existing Public Rights of Way that run from the site towards it.
- 5.41 The Proposed Development will comprise up to 2,068 dwellings of which 60 units will be C2 Use Classes, where ownership of cats and dogs will not be permitted. NE has subsequently agreed that subject to suitable planning condition these units can be discounted from the Gross SANGs calculations.
- 5.42 Calculation of SANG provision required based on the 8ha/1,000 standard is shown in **Table 5**, below.

Table 5: Calculation of Minimum SANG Area Requirement.

Gross number of dwellings	2,068
Amount of C2 Use Class to be discounted	-60
Net Dwellings for SANG calculation purposes	2,008
Population increase based on 2.4 persons per dwelling	4,819
SANG Requirement @8ha/1,000 population	38.55ha

Basis for Higher Provision Rate

5.43 Notwithstanding the above, Natural England has advised that a higher provision rate will be required given the particular circumstances of the proposal, and that evidence is required to determine the necessary size of the SANG.

5.44 In determining the required size for the Wisley Airfield SANG it is useful to refer back to English Nature's original 'Thames Basin Heaths Special Protection Area Mitigation Standards for Residential Development' (May 2006- Draft Delivery Plan, DDP) document which originally examined the evidence that was used to inform the basis for standardised SANG provision rates, and which was examined as part of the South East Plan Examination in Public (EIP).

5.45 Paragraph 5.3 of the DDP states:

"There are therefore two issues when proposing generic size standards for avoidance measures in the form of alternative greenspace:

i. the quantity of greenspace per new population standard. Generally quantity is expressed as an area of hectares of open space per thousand population

ii. the minimum size a site needs to be to act as an effective avoidance measure, attracting and accommodating the targeted user groups."

5.46 In respect of point i. the South East Plan EIP Assessor's Report (Burley, 2007) reviewed, and went on to accept as an acceptable evidential basis, an arithmetic approach to calculating the quantum of additional open space that would be required to absorb, on an equivalent density, the number of visits generated by development that would otherwise be made on the SPA.

5.47 In order to understand the area of SANG that would be required to absorb the number of visits that would otherwise be made to the SPA, on an equivalent basis to the visitor density experienced on the SPA, the site-specific visitor survey results collected in 2015 (for which the extent of associated access is known) have been used to calculate the density of visits made on the SPA per hectare.

5.48 The survey found that 12.4 people exited the eastern part of Ockham Common (the principal area accessed for recreation) per hour, resulting in an estimated 54,385 visits per year made over an 80ha area. The main, and most sensitive part of Ockham Common with the potential to be affected by the proposed development, therefore absorbs 680 visits/year/ha, a figure slightly higher than that cited for the whole TBH SPA in the South East Plan EIP Assessors Report (Burley, 2007). It is important to note that this figure represents, on a precautionary basis, the lowest figure that could have been calculated using the primary data available, since the 2014 visitor survey recorded a higher number (N=15.65 visits/hr) of people existing this part of Ockham Common meaning that the SPA is able to absorb a relatively higher number of visits per hectare than that cited above and taken forward in this assessment, however by using the lower figure this results in a higher area of SANG being required.

- 5.49 The minimum area of SANG that is required to absorb the number of visits that would otherwise be made to the SPA, on an equivalent basis to the visitor density experienced on the SPA, can then be calculated as per **Table 6**, using the approach taken by the South East Plan EIP Assessor. The figure calculated in the South East Plan EIP Assessors Report was 7.16ha (which was later rounded up to 8ha), which is comparable to the site- and context-specific figure arrived at below. That SANG is delivered at a higher rate than the minimum figure calculated means that the equivalent number of visits that would otherwise be made on the SPA would be absorbed within a larger relative area of open space, such that the density of visitor access would be lower within the SANG than in the SPA, thereby contributing to the attractiveness of the SANG in order to secure deflection of visits.

Table 6: Calculation of SANG Area Requirement Following Approach taken by Burley, 2007.

Gross number of dwellings	2,068
Amount of C2 Use Class to be discounted	-60
Net Dwellings for SANG calculation purposes	2,008
Population increase based on 2.4 persons per dwelling	4,819
Visits absorbed by SPA/ha	680
Visits to SPA made per person per year	5*
Visits to SPA per year from development	24,095
Total SANG area required to absorb visits/ha	35.4
Equivalent SANG provision rate/ha/1,000	7.34

* Figure used in SEP EIP Assessors Report, plus 10% increase in visitation identified by Fearnley & Liley, 2012.

- 5.50 Two principal SANG blocks are to be delivered that lie to the north and south of the central proposed housing areas (**Map 2**). Cumulatively these equate to 49.9ha of SANG provision, a significantly greater provision than the 8ha/1,000 standard (38.55ha of SANG- **Table 5** above) and the bespoke area requirement identified in **Table 6** (35.4 ha). While shown as separate parcels of land, they are physically connected by SANGs links within green corridors affording a wide choice of circular routes and visitor experiences.
- 5.51 However, irrespective of the SANG area/capacity requirement, and as identified under point ii. of the DDP, it is necessary to provide a SANG of sufficient size to accommodate the specific features that are required to make it an attractive alternative destination to the SPA for the target user group, in the case of the TBH SPA, dog walkers. The single SANG design feature that has the greatest influence on the minimum area of SANG required to be delivered to make it an effective alternative to the SPA, that is to provide the equivalent features and/or experience available within the SPA, is the circular walk length (NB: equivalent in terms of attractiveness to the target user group; not necessarily identical in nature to the SPA).

- 5.52 In examining the features that attract people to open spaces in the TBH area Liley et al (2005b) concluded “*alternative sites should be large enough to accommodate the length of a visit typical of visitors to the SPA, especially in respect of accommodating a long dog walk*” The SANG Quality Guidelines therefore require a minimum 2.3-2.5km circular walk to be provided within a SANG, which was the average walking length derived from the early TBH-wide visitor survey (Liley et al, 2005). In many cases where the required SANG provision rate is the 8ha/1,000 ‘standard’, a higher provision rate is actually delivered by developments in order to incorporate the required circular walking length within the SANG.
- 5.53 In that respect, residential development has an accompanying ‘critical mass’, wherein larger developments can deliver the required circular walk length without a necessary and accompanying increase in the SANG provision rate. This is evidenced by comparison of the provisions made by Albany Park in **Table 7** below in relation to Amen Corner South. Amen Corner South owing to its larger size (more dwellings) is able to deliver the required minimum circular walk length at the standard SANG provision rate of 8ha/1,000, whereas Albany Park owing to its smaller size delivered SANG at a higher provision rate but only incorporated the minimum circular walk length required by the SANG quality guidelines.
- 5.54 Indeed depending on the overall quantum of housing and thus SANG being delivered, a longer than average circular walk length can be provided without an accompanying or proportionate increase in the provision rate. This is evident from review of SANGs that have been consented/implemented in other locations that are close to the SPA, and are therefore comparable to the Wisley situation, as illustrated by **Map 7** and **Table 7**.

Table 7: Comparison of Consented SANGs in Close Proximity to SPA.

SANG	Size devel. (no. houses)	Proximity devel. incl. SANG to SPA (km)	SANG area (ha)	Provision rate (ha/1,000)	Length circular walk (km)*	Max walk length on closest part(s) of SPA (km)^
Wellesley	3,850	0	98	10.6	9.5	4.8, 10.9
Deepcut Princess Royal Barracks	1,200	0	35	12	3.85	3.3, 4.5
Former TRL	1,000	0	42.5	18	3.7	3.8, 12.1
QE II Barracks	872	0.5	72	10.7 (now reduced to 8 by use as Hart DC strategic SANG?)	2.6	10.9
Albany Park	315	2.1	17	22.5 equiv. (req only 8-excess SANG likely to serve)	2.3	10.9

				further development)		
Land at Amen Corner	725	2.5	13.4	8	2.9	12.1

* Taken from planning application reports or estimated possible route using GIS.

^ Taken from Liley et al, 2005.

- 5.55 Owing to the proximity of the proposed development to the SPA and the particular circumstances of the scheme, Natural England has advised that the full range of lengths of walks carried out on the SPA be considered in establishing the necessary size of the SANG, not just the length of walk carried out by the average user.
- 5.56 Notwithstanding the soundness of this approach to determining the minimum area of SANG required in this instance, with reference to the lengths of walk taken around the closest component units of the SPA surveyed during the TBH-wide visitor survey (Liley et al. 2005), the circular walk length provided by consented SANGs shown on **Map 7** does not consistently provide for the equivalent walking length sought on the SPA (as detailed within **Table 7**). Indeed consultant reports supporting the design and delivery of these bespoke SANGs which might similarly be expected to represent departures from the 'norm' given their proximity to the SPA, rarely pay reference to the actual walking lengths taken by visitors around the closest parts of the SPA and therefore the equivalent experiences needing to be provided for within the SANG to make it an effective alternative destination to the SPA.
- 5.57 This was acknowledged by the South East Plan EIP Assessor when appraising the case studies referred to in the DDP (Queen Elizabeth Barracks at Fleet and Lorraine Road, Camberley) *"the amount of space provided by these schemes appears to have been determined by the particular circumstances of the case rather than in accordance with any quantitative assessment of need"* (Burley, 2007).
- 5.58 Nevertheless, the lengths of all routes taken around the closest component unit of the SPA have been considered in evaluating the likely ability of the quantum of SANG proposed to provide an equivalent experience to that possible and sought on the SPA, and therefore the likely ability to provide effective impact avoidance for the Wisley Airfield scheme.
- 5.59 Visitor survey results from the 2015 survey of Ockham Common show that on average visitors took a 2.9km length route during a visit, 75% of visitors took a route of up to 3.7km during a visit and the longest route taken during a visit was 4.6km (routes taken are shown on **Map 6**; 89% of routes taken during the survey were similar to routes taken during other visits). The Wisley Airfield SANG therefore needs to be large enough to incorporate circular routes of these lengths, in addition to other qualitative features sought by visitors to the SPA, in order to provide at least an equivalent experience, and as far as is possible a more attractive experience, to that possible on the SPA and therefore be effective in intercepting visits that would potentially otherwise be made on the SPA. This has been achieved within the SANG provision proposed at 49.9ha, as is explained further below, without any further required increase in the quantum of SANG being delivered nor the equivalent provision rate (10.35ha/1,000). The SANG provision rate proposed by the Wisley Airfield scheme is comparable to both the Wellesley and QE II Barracks schemes listed in **Table 7**, which are

similarly proximate to the SPA, and a much longer circular walking route can be delivered within the Wisley SANG to that delivered within the QE II Barracks SANG.

SANG Capacity Discounting

- 5.60 There are six existing Public Rights of Way (PROW) running through the proposed SANG that are subject to existing public access (**Map 2**). Section 2 of the Countryside and Rights of Way (CROW) Act 2000 sets out the legal basis for the use of PROW wherein the legal right to pass and repass relates solely to the right of way. There is no common minimum width that applies to all PROW, however landowners are required to keep PROW free from obstructions with a minimum clearance width of 1m for footpaths, 2m for bridleways and 1.5m for field-edge footpaths (from www.gov.uk).
- 5.61 SANG capacity discounting should be applied to the publically accessible areas encompassed by the PROW running through the SANG, and calculation of SANG capacity discounting is set out in **Table 8** below.

Table 8: Existing publically accessible land associated with existing PROWs within the SANG.

PROW (FP- footpath, BW- bridleway, FEFP- field edge footpath & number)	Length within SANG	Clearance Width (m)	Accessible Area (m ²)
FP19	346	1	346
BW16	217	2	434
FP15	193	1	193
BW544	382	2	764
FP16A	1,008	1.5	2,016
FP13	107	1	107
<i>Total accessible area of PROWs within SANG</i>			<i>3,860</i>

- 5.62 The above would suggest that it would be appropriate to discount 0.39ha from the total SANG area representing existing accessible land within the SANG, resulting in an available SANG area of 49.51ha. However use of the PROW may have effects on the feeling of capacity within the SANG beyond the limit of the land that is physically accessible.
- 5.63 Therefore the alternative method for calculating the SANG capacity discounting required is the approach used by Bracknell Forest Council (BFC, 2012). Using the Bracknell Forest approach, the level of existing use of the Wisley PROW results in a discount from the available area (49.9 ha) of 0.87 ha, such that the area of the proposed SANG that can count towards the SANG requirement is 49.03ha (see calculation in **Tables 9** and **10**). This equates to a revised provision rate of 10.174ha/1,000 population.
- 5.64 An Outline SANG Habitat Creation & Management Plan has been produced to accompany this Information for HRA report, which sets out measures to ensure the reconciliation of public access and features of existing nature conservation value within the SANG. There

are no areas within the proposed SANG that are considered to be so sensitive so as to require the exclusion of public access, therefore no further SANG capacity discounting is considered necessary.

Table 9: Calculation of total visits per person per year to the TBH SPA based on frequency of visits, taken from Fearnley & Liley, 2012. *This data has been used in the absence of qualitative information regarding frequency of use of the PROW running through the proposed SANG, but is considered to represent a reasonable assumption regarding visitation rate since the PROWs are used to access the SPA and even doubling this visitation rate would still mean that there was an excess provision of SANG.*

% people visiting SPA	Frequency of visit	Visits per week	Visits per person per week	Visits per person per year
38	Daily	7	2.66	138.32
34	More than once week	4	1.36	70.72
11	Once week	1	0.11	5.72
6	2-3 per month	0.1	0.006	0.312
3	Once a month	0.03	0.0009	0.047
		<i>Total</i>	215.12	

Table 10: Mitigation capacity of proposed SANG.

¹ based on numbers recorded using the PROW within the SANG per hour during the Ecology Solutions visitor survey. This count did not record access along FP16A and FP13, however high levels of existing visitor use are not considered to be likely along these routes owing to their respective origins/destinations. Furthermore, even if the number of visitors recorded using the PROW through the SANG were to double, the SANG provision would still be sufficient to serve the Proposed Development.

² Taken to be 215, derived from Table 9 above.

Total visits per year (6.83 ¹ per hour x 12 x 365)	Equivalent no. of visitors ²	Area of SANG (ha)	Capacity to mitigate at 10.35ha/1000	Potential visitor capacity following existing use	SANG capacity available
18,133	84	49.9	4,821	4,737	49.03

Location of SANG, Existing Habitats and Features

North SANG Area

- 5.65 This largest area of SANG will extend to 40.3ha. It is currently characterised by large areas of gently sloping tarmac and concrete hardstanding on lower lying land to the west and arable fields north of the former airfield runway. The two areas are physically separated by a linear tree belt and more steeply sloping embankment.
- 5.66 The land is bordered to the northwest and west by mature woodland that flanks Elm Corner. A semi-mature tree belt lies to the north, bordering Snakes Field, and further mature woodland and mature hedges define the northeast and east boundaries around Hatchford Corner and Old Lane.
- 5.67 The western area is visually degraded by the large areas of hardstanding associated with the former airfield hangars, but is visually contained by the surrounding woodland and tree belts. By contrast, the arable fields to the north are large open areas that have a more pleasant, but ordinary and un-remarkable character.
- 5.68 The most pleasing aspect within this area is the availability of long southerly views to the Downs afforded from the PROW within the site. Most of the key rural characteristics such as hedgerows and trees that divided the large arable fields were lost during the airfield construction and the only remaining conspicuous feature is the linear tree belt to the west.

South SANG Area

- 5.69 This SANG area will extend to 9.6ha. It has a markedly different character to the northern SANG, comprising mature woodland and meadows bordering the Stratford Brook to the south and steep grassland slopes to the north. The woodland is fairly open with glades and has strong visual appeal. The grassy slopes to the north form the steepest parts of the Application Site and create visual containment in combination with the woodland to the south.
- 5.70 A single footpath flanks the northern edge of the woodland originating at the slip road of the Ockham interchange to the west and heads east following the southern boundary of the Application Site before alighting onto Ockham Lane. This path will have a direct link with proposed SANG car park.

SANG Design

- 5.71 Regard has been given to Natural England's 'Guidance for the Creation of Suitable Alternative Natural Green Space' (NE, 2008), responses received during consultation and site visits with NE officers, GBC and Surrey County Council, and to the results of visitor surveys described at paragraph 5.9 et seq. and at **Appendix 5**.
- 5.72 The SANG Illustrative Masterplan is shown on **Figure 3** with proposed SANG habitats and key infrastructure are shown on **Maps 8** and **9**, respectively.

Circular Walk and Parking

- 5.73 The north SANGs area will include a 3.9km circular walk at first occupation, far exceeding the standard requirement cited in NE SANG's guidelines and delivering the route length taken on the SPA by up to 75% of users (**Appendix 5**). Shorter routes will be available, including a circular route of 2.9km within the central wildflower meadow area, equivalent to the average route taken on the SPA (**Map 9**). The northern SANGs area is connected to the SANG car park, which will also be in place at first occupation, via a SANG link incorporated within green infrastructure comprising school playing fields to the south and a village green to the north.
- 5.74 A route within the southern SANG will also be available at first occupation. While it is a shorter circuit of 1.8km it passes through an attractive mature landscape containing the added amenity and consequent draw of Stratford Brook. Furthermore it links directly with the SANG car park, SANG Link and therefore can be linked with circular walks within the northern SANG to achieve a total available route length (within SANG areas) at first occupation of 5.7km, exceeding the maximum route length taken around Ockham Common during the 2015 visitor survey.
- 5.75 Other route options will be made available as the final SANG and Green Infrastructure areas are phased in, eventually providing a range of circuit lengths up to 9.5km.
- 5.76 Surveys have shown that visitors prefer 'all-weather' footpaths that remain dry and mud free all year round. Therefore the main walking route in the northern SANG area, including the 3.9km circular walk, will comprise a surface of rolled aggregate of a natural hoggin type material, providing year round and all abilities access. This treatment will also be applied to paths within the SANG link that connects the northern SANG area to the car park. Additional measures such as incorporation of 'destination features' (see below), ditches and planted earth mounds within the SANG will make routes leading towards the SPA less desirable and conspicuous in the future: it will be important to establish a clear visual hierarchy of routes, and an illustration of how this might be achieved with appropriate habitat treatment is provided at **Figure 4**.
- 5.77 In the southern SANG, the circular walk will take in two footbridges over the Stratford Brook and part of the route south of the river will be boardwalked, again to ensure year round access and providing a varied recreational experience.

Dog Friendly Access

- 5.78 An important attribute for a SANG is the ability to let dogs safely off the lead (Liley *et al.* 2005; NE, 2009); indeed this was the main reason that people had chosen to visit Ockham Common during the 2015 visitor survey, making this attribute an important feature to accommodate within the Wisley SANG.
- 5.79 Hampshire County Council produced a guidance note on managing dog walkers in the countryside (HCC, undated) which drew upon research undertaken by the University of Portsmouth on the psychology of walkers with dogs. This note explains that "it is very

important to dog walkers that their dogs enjoy themselves and many feel that dogs have more fun off the lead. Not surprisingly then, when deciding where to walk, the single most important feature for walkers with dogs is the opportunity for dogs to be off lead."

- 5.80 The SANG areas will be enclosed by a range of measures including ha-ha's, wet ditches, planting and dog proof fences on site boundaries, so that users will be able to safely let their dogs off the lead within the SANG. These features will be regularly maintained as part of the ongoing management plan for the SANG.
- 5.81 The SANG will be designed to be dog-friendly, with bins for dog waste provided in discrete locations at the entrances to the SANG, and the SANG will be promoted locally as somewhere to walk dogs off the lead particularly when restrictions are in place within the SPA (described further below).
- 5.82 The SANG will provide large open areas of grassland so that dogs can run about freely and easily, with large areas of short grassland maintained in the eastern half of the northern SANG to enable ball/frisbee throwing etc. Such access can be contrasted with the quality of 'dog off the lead access' within the SPA, wherein large areas (principally wooded areas which cover the vast majority of the SPA) are likely to be less appealing for dogs being walked off the lead owing to the presence of dense bracken, bramble, and boggy/wet areas restricting access to tracks and trails (**Figure 2**). The open and free-roaming nature of dog off the lead access within the SANG, meaning that dogs can have more fun and be less restricted, is therefore likely to be more attractive to dog owners than many of the opportunities provided within the SPA. Several ponds will also be provided and be made easily accessible for dogs to cool-off and to splash about and have fun.
- 5.83 As mentioned above, the paths provided within the SANG will comprise of natural bound aggregate such as hoggin, which remain dry year round, which will again be more attractive to dog walkers than many of the paths leading to and within the SPA which suffer from wet ground conditions which render them boggy and/or muddy for large parts of the year (whenever there have been periods of wet weather) (**Figure 2**).

SANG as a 'Destination', Providing a Varied Recreational Experience and Variety of Habitats

- 5.84 The Proposals incorporate 'destination features' that will draw visitors to the site and the SANG, and include within the northern SANG a woodland tump from which stunning panoramic views will be possible across the Surrey Hills Area of Outstanding Natural Beauty (AONB), in addition to a large car park with adjacent visitor centre, toilets and café.
- 5.85 The SANG has been designed to provide a 'variety of semi-natural habitats'. This will include areas of diversified grassland, managed as longer wildflower meadows, and areas of shorter more open grassland more suitable for dog ball throwing (as described above). New hedgerows, shrubs, scrub, trees and an orchard will be planted, in places in combination with gentle earth mounds, providing a feeling of physical separation both between different areas of the SANG as users walk around the circular route, but also with the wider landscape



Figure 2: Photos showing the predominant habitats within the SPA which are likely to be less desirable for exercising dogs off the lead than open grassland.

5.86 The northern SANG also incorporates a number of waterbodies of varying sizes: quickly maturing attractive habitats providing immediate focal points upon entry in the SANG from

the new residential areas drawing visitors along the east-west aligned circular walking route, as opposed to along PROW towards the SPA.

- 5.87 Some of the waterbodies will provide Sustainable Urban Drainage as part of the SUDS Strategy for the site alongside a network of ditches. These will be designed to be of value for both people and wildlife, creating additional points of interest, by comprising aquatic vegetation and gradually sloping sides to ensure a large surface area for emergent vegetation but also public health and safety. As described above, a proportion of these features will be made easily accessible to dogs. The SUDS will work by infiltration for much of the site, however where infiltration is poor in parts of the site extreme rainfall events (major storms) are likely to generate offsite flow; the SUDS will be designed in such a way as to ensure that any such offsite flow is consistent with current greenfield runoff rates.
- 5.88 The SUDS features will also provide further physical separation between walking routes, for example a combination of planted earth mounds and drainage features has been designed in the narrowest part of the SANG to prevent the formation of desire lines which would act to shorten the circular walking route, as illustrated in **Figure 4**, and culverts will be used to facilitate visitor movement making the full area of the SANG accessible.



Figure 3: Illustrative SANG Masterplan.
 Provided by Davies Landscape Architects.



Figure 6 (part b, continued overleaf): Illustration of realigned temporary construction access road.
Provided by Davies Landscape Architects.



Figure 6 (part c): Illustration of realigned temporary construction access road.
 Provided by Davies Landscape Architects.



<p>Prepared by: Wisley Property Investments LLP</p> <p>Project No: WPI/2015/001</p> <p>Date: 15/06/2015</p>	<p>Client: Wisley Airfield, Sandhurst</p> <p>Project: Elm Corner Access</p> <p>Date: 15/06/2015</p>
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Figure 7: Illustration of realigned Elm Corner access track.
Provided by Davies Landscape Architects.



Figure 8 (continued): Illustration of landscape treatment of Gypsy and Traveller site and Woodland Tump.
 Provided by Davies Landscape Architects.

- 5.89 The woodland within the southern SANG area will be managed to create glades and encourage a more diverse ground flora. Two footbridges will be provided over Stratford Brook linked with a combination of unsurfaced paths and boardwalks through wetter areas.
- 5.90 Habitats will be designed both to provide a varied and attractive recreational resource but also to maximise incidental gains for biodiversity in line with the aspirations of the NPPF. Diversification of the grassland, creation of waterbodies and the planting of new hedgerows, shrubs, scrub and trees is likely to significantly enhance the value of the land within the SANG for wildlife, particularly invertebrates, reptiles, birds and bats. This will help to create the wild countryside look and feel to the SANG, further increasing its attractiveness and providing further interest features.
- 5.91 An Outline SANG Habitat Creation & Management Plan has been produced to guide the creation and ongoing management of the SANG to ensure that the newly established habitats develop as intended over time, and to maximise the benefits accrued for both SANG users and for biodiversity.
- 5.92 The Management Plan has taken account of the existing features of ecological value in the SANG areas such as wet woodland, mature woodland and the tree belt to the north west. Since the SANG requires management in perpetuity, this provides an opportunity for the biodiversity value of these features to be secured in the long-term; something which would not necessarily be the case in the absence of the SANG provision.
- 5.93 As individual SANG phases are delivered, more detailed information regarding habitat creation and specifications for SANG infrastructure will be provided within a Landscape and Ecological Management Plan (LEMP). This will be accompanied by a Construction Environmental Management Plan (CEMP) which will set out the control measures that will be in place during construction to safeguard existing features of environmental value.

Free from Urban Intrusions

- 5.94 The SANG has been designed to create a varied landscape that is sought by SPA visitors, containing a diverse range of habitats across gently undulating microtopographies. The SANG habitats and microtopographies have also been designed to provide visual screening to ensure that the SANG remains free from urban intrusion during construction and operation. This will include a combination of mature trees, woodland, hedgerows, scrub and wetland features, and in places bunding, incorporated along the southern edge of the northern SANG to provide visual screening of adjacent housing.
- 5.95 The scheme has been modified to remove the construction access route from its former alignment within the northern SANG area to ensure that its use during construction does not impinge on the 'SANG experience'. The modified route runs to the south of the neighbourhood areas, along the northern boundary of the southern SANG and to the north of the SANG car park, as illustrated on **Map 11** and in **Figure 6** (parts a-b). As shown on **Figure 6**, the route will be screened from the southern SANG, so that the SANG experience is not affected, by planting, earth mounding and by accommodating the construction access route within a temporary cutting. A small part of the southern SANG (1ha) will now be delivered in SANG Phase 4 following decommissioning of the construction access route. A

CEMP will include measures to prevent noise and dust liberation during construction from adversely affecting the attractiveness of the SANG. Information regarding the predicted number of HGV movements within the site per day during construction is provided at **Appendix 6**.

- 5.96 **Figure 7** illustrates the proposed realignment of the Elm Corner access track; the access track has been shifted to the far western edge of the SANG to maximise the area of open space between the access track and the tump for SANG users. The access track will comprise of a single carriageway of roughly 4m in width, widening in a few specific locations to create passing places, and composed of a natural resin bonded surface.
- 5.97 **Figure 8** illustrates the way in which embankments, the woodland tump, existing vegetation and additional planting will be used to ensure physical and visual separation of the SANG from the proposed Gypsy and Traveller site located in the teardrop shaped area to the south of the woodland tump (**Map 2**).
- 5.98 Existing vegetation and advance planting of the environs of the woodland tump will also ensure that it is screened from the Phase 1 SANG areas during its construction (**Figure 8**).
- 5.99 Rustic seating, wooden signage and interpretation boards will be placed at the entrances to the SANG area, and at one or more key locations. In order to minimise artificial and urban intrusion in or into the SANG, all furniture will be low-key and minimalistic; seating, waymarkers and interpretation boards will be of a discrete 'rustic' design, made from timber. Examples of appropriate site furniture are provided in **Figure 9**.



Figure 9: Examples of appropriate site furniture for SANG areas.

Personal Safety

- 5.100 Personal safety is considered to be a key issue for recreational users, as supported by evidence collected on behalf of Natural England (Liley et al., 2005; Fearnley & Liley, 2012) and as reflected in their SANG Guidelines. In particular it is a feature sought by visitors to the Boldermere car park, which has seemingly developed anti-social behaviour, and which would encourage them to use alternative sites for recreation.
- 5.101 The largely open nature of the SANG means that the majority of the circular walking routes will benefit from open views. Where footpath routes pass through woodland, the understory will be managed to maintain an open ride along the path and open glades along its route, to provide visual permeability and a sense of safety.
- 5.102 During construction a CEMP will be implemented, which will include measures to ensure public health and safety within the SANG link for users accessing the northern SANG area from the SANG car park. Fencing and signage will be used to prevent visitors from accessing the construction access road on foot, and such essential measures for safeguarding public health and safety, such as the imposition of speed limits (which will simultaneously reduce noise), will be incorporated within the CEMP. Information regarding the predicted number of HGV movements within the site per day during construction is provided at **Appendix 6**; HGV movements along the construction access route will be infrequent and are not anticipated to have an undue effect on users of the SANG car park.

Supporting Green Infrastructure

- 5.103 Four north to south orientated Green Infrastructure corridors (**Map 2**) will funnel people from housing areas towards the SANGs, and these corridors incorporate existing PROW such that existing residents will also be funnelled into the SANG, maximising the prospect of the SANG intercepting SPA bound visits. These GI corridors, in addition to others within the development, will also provide additional interconnecting recreational spaces and routes, adding to the number of options available within the new settlement for recreation.
- 5.104 Within these GI corridors, two SANGs Links are to be incorporated, connecting the northern and southern SANG compartments to each other and to the central car park (**Map 2**). SANGs Links will be clearly signposted, maintain a semi-natural feel at the core, and comprise dry and well maintained paths. **Figure 10** illustrates the broad landscape design for the Phase 1 SANG Link, which connects the car park to the northern SANG compartment, and further information will be provided within a Phase 1 SANG Landscape & Ecological Management Plan to be produced at the Reserved Matters stage.



Figure 10: Landscape design for Phase 1 SANG link.
 Provided by *Davies Landscape Architects*.

Summary of SANG Quality Requirements

- 5.105 In order for the Wisley SANG to be fully effective in absorbing visits that would otherwise be made to the SPA, both by new residents but also existing residents in the local area, the SANG must be able to deliver certain features and qualities at first occupation. The SANG should be able to deliver the list of standard 'must have' and 'desirable' features recommended by Natural England in their SANG Quality Guidelines (NE, 2008). The Wisley SANG scheme has been tested against these standard criteria, the results of which are set out in **Table 11** below.
- 5.106 However given the particular context of the proposed development, including its proximity to the SPA, the SANG must also be able to respond to and deliver the particular features sought by users to the specific parts of the adjacent SPA that would otherwise be likely to receive an increase in visitation as a result of the proposed development. The results of the 2015 visitor survey of Ockham Common have therefore been examined to determine the site-specific features and qualities valued by visitors to the SPA, and **Table 12** sets out how these features and qualities have been incorporated within the SANG from first occupation, ensuring that the SANG will be fully effective.

Table 11: Natural England's 'Guidelines for the Creation of Suitable Alternative Natural Greenspace', 2008.

Must Have Features	Proposals
Adequate Car Parking	A SANG car park providing up to 100 spaces will be located towards the middle of the site strategically located at the furthest point from the SPA. Some spaces will be utilised by staff at the adjacent primary schools but a minimum of 30 spaces identified particularly for SANG use.
It should be possible to complete a circular walk of 2.3-2.5km around the SANGs	More than the minimum 2.3-2.5km circular walk has been accommodated within the proposed SANG area in Phase 1 (total 5.7km). Additional routes will become available in later SANGs and development phases to provide routes up to 9.5km.
Car parks easily accessible and well signed	The car park will be easily accessed off of the Ridgeway Avenue which will be signed from the A3 and Ockham Interchange (Map 9). This is the main east-west spine road as outlined on the scheme parameters.
Appropriate access points for target user groups	Access points from the SANG car park will be provided via the existing bridleway 544 to the northern SANG area and direct access to footpath 13A to the southern SANG area. Residents will have easy access from the housing areas directly into the SANGs via crossing points over ha-ha's or through proposed green infrastructure corridors between housing blocks. Residents from Elm Corner, Hatchford End, Martyrs Green and Ockham can gain access from existing

	footpaths that lead through green infrastructure into the SANG.
Safe pedestrian route from nearest car park	The proposed car park will provide safe pedestrian routes into the SANGs via existing PROW either located directly within SANG or within the SANG link.
Circular walks starting and finishing at car park	The northern SANG area is accessed via a SANG link utilising BW544. A shorter circular walk around the southern SANG area starts and stops at the SANG car park and has direct access to open space to exercise dogs.
Perceived by users to be safe, some open walking areas	Will remain predominantly open walking through woodland orchard and meadow creating different experiences for users.
Paths should be easily used and well maintained but most should be unsurfaced to avoid urban feel	Circular routes will comprise a natural and durable bound gravel surface providing a dry and easily accessible route year round and to attract users to move in an east x west direction rather than heading north into the SPA. Existing PROW will remain un-surfaced as will other walking routes within the SANG. Part of the walk through the southern SANG may be boardwalked in places south of the river, where required.
SANGs must be perceived as semi-natural spaces with little intrusion of artificial structures, except in vicinity of car parks. Visually sensitive way markers and benches are acceptable	The SANG areas will be designed as semi-natural spaces and accord with Natural England's guidelines for the creation of SANG. Appropriate natural and 'rustic' furnishings for the SANG will minimise the degree of artificial intrusion.
Variety of habitats	A variety of habitats and visual experiences will be provided through different types of woodland, meadow, short grassland, scrub, orchard and waterbodies supporting wetland habitats.
Unrestricted access, space for dogs to exercise	The SANG will be designed to enable dogs to be exercised freely and safely off the lead, and there will be a range of measures to keep pets contained within the SANG areas to include ha-ha's, wet ditches, planted areas on earth mounds and dog-proof fencing.
Free from unpleasant intrusions	The SANG will not be adversely affected by road noise (discussed further in Section 7). The transition from housing areas to the SANG will be designed sensitively to prevent urban intrusion.
Clear signposting & advertising	Appropriate timber waymarkers will be installed to indicate walking routes on site and signage will be promoted on the

Promoted by leaflet or websites	A3 and Ockham Interchange to advertise the SANG and car park/cafe. The new SANG and additional offsite walking routes will be advertised via a bespoke website and through dissemination of leaflets.
Desirable Features	Proposals
Safe to let dogs off lead between car park and SANG	Generous open areas, to the south of and connected to the car park, will be enclosed by dog proof fencing allowing dogs to be immediately let off the lead. The northern SANG area is not directly connected to the car park but is linked along a short route through green infrastructure.
Gently undulating topography	It is proposed to do some remodelling of the contours to create more visual interest and visual separation between footpaths. There will be no steep inclines within the SANG, except on the rise up the woodland tump which will act as a feature of interest, and on the rise up from the river valley in the Southern SANG.
Interpretation panels at access points showing site layout and routes	Interpretation boards will be provided at the access points to the SANG, showing the walking routes provided and the features of interest within the site, including seating areas. Timber waymarkers will be provided around the SANG to mark out the walking route.
Open country character with areas of dense trees, scattered scrub or open water	Habitats within the SANG will mostly be open to include grassland; areas of shrubs, scrub and scattered trees; orchard, hedgerow; wet and dry woodland with an open understory; mature standard trees; and waterbodies supporting wetland habitats.
Focal point	A sculptural landform (the woodland tump) will provide a destination on the circular walk and long attractive views from its summit. Several ponds will also provide focal points within the SANG, as will a picnic area adjacent to the orchard.

Table 12: Features and Qualities Sought by Visitors to Ockham Common (also see Appendix 5)

Visitor survey question and result inferring feature or quality sought by SPA visitor	How this feature or quality has been accommodated within the Wisley SANG
<p><i>Q. What features draw you to this site?</i></p> <p><i>Answers:</i></p> <ul style="list-style-type: none"> • Ability to let dog off lead (56%- 89% of visitors were dog walkers); • Good car parking (54%- 91% had arrived by car or van); • It's close to where I live (44%); • Length and variety of paths/tracks (36%- 65% of visitors were on site between 30 mins and 1 hour, taking an average route of 2.9km. 75% of visitors took a route of 3.7km or less. The maximum route length taken was 4.6km. 89% of routes taken during the survey were similar to routes taken on other visits); • Look and feel of the site (32%). 	<ul style="list-style-type: none"> - The SANG will provide large safe open and dry areas for dogs to be exercised off the lead year round. - The SANG will be served by a large dedicated SANG car park, which will be clearly signposted and advertised (to be delivered alongside introduced access restrictions to Pond car park on the SPA). - The SANG is located within 400m of all new housing, providing easy access on foot; a car park is also being provided for those that prefer to drive, and the SANG and its car park are directly to the south-west of the SPA making it as close to home (or in some cases closer) as the SPA for those currently visiting the SPA from the south. - The SANG and GI network provide numerous paths of varying surface types and lengths, passing through a variety of semi-natural habitats. Route options accommodating the average, majority and exceeding the maximum lengths taken on the SPA will be provided at first occupation within the SANG. - The main area accessed on Ockham Common incorporates areas of both open and closed habitat types, comprising woodland, heathland, scrub, grassland

	<p>and open water. Liley et al. 2005b in their study of features attracting people to open spaces in the TBH area concluded that <i>"it is perhaps visual interest and variety within a small area that is attractive to people, rather than particular features"</i> and <i>"the actual habitat and landscape would seem to be of less importance, especially for dog walkers. However ideal sites would contain semi-natural habitats, with woodland preferred, and the results appear to suggest ideal sites would have water (such as a lake or pool) and have varying topography"</i>. To that end, although the SANG will not provide an identical 'look and feel' to Ockham Common, the SANG aligns with the description of an 'ideal site' provided by Liley et al. and will provide a variety of open and closed habitats comprising woodland, scrub, grassland and open water- habitats that are found on the SPA and are likely to provide the variety and visual interest sought by SPA users.</p>
<p><i>Q. What are your reasons for choosing this alternative site?</i></p> <p><i>Answers:</i></p> <ul style="list-style-type: none"> • Makes a change/for variety (30%); • More convenient/it's closer (26%); • Good car parking (20%); • Ability to let dog off lead (16%). 	<ul style="list-style-type: none"> - As described above, the SANG is located within 400m of all new housing, providing easy and convenient access on foot; a car park is also being provided for those that prefer to drive, and the SANG and its car park are directly to the south-west of the SPA making it as close to home (or in some cases closer) as the SPA for those currently visiting the SPA. - As described above, the SANG will be served by a large dedicated SANG car park, which will be clearly signposted and advertised. - As described above, the SANG will provide large safe and dry open areas for dogs to be exercised off the lead year round.
<p><i>Q. Would you use new open spaces if they were provided in the local area?</i></p> <p><i>Answers:</i></p> <ul style="list-style-type: none"> • Yes (53%); • Yes, but only if: <ul style="list-style-type: none"> • dog friendly (13%); 	<ul style="list-style-type: none"> - As described above, the SANG will provide large safe dry open areas for dogs to be exercised off the lead year round. It will provide a variety of habitats both open and

<ul style="list-style-type: none"> • had parking (13%); • it had the right features/character (8%); • close to home (7%); • large and open (5%); 	<p>closed for dogs to explore, areas of short open grassland for owners to throw balls for their dogs, and a variety of waterbodies of differing sizes for dogs to splash and swim in. Paths comprised of bound aggregate will also provide year round all weather (mud free) access to the SANG. The Wisley and Ockham Warden will also coordinate organised dog walking activities to engage the local dog walking community to achieve the desired behavioural changes with regards to recreation both within the SANG and the SPA (described further below).</p> <ul style="list-style-type: none"> - Described above. - Described above. - Described above. - The SANG totals nearly 50ha in extent, is large enough to accommodate the maximum lengths of routes taken on the SPA, and provides open grassland habitats and a tump providing expansive views across the North Downs; the SANG may therefore be considered to meet the criteria of being 'large and open'.
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SANG Phasing

- 5.107 For large multi-phase developments such as that proposed at Wisley, the phasing of SANG alongside the phasing of construction and housing occupation is an established approach. With reference to the consented SANGs listed in **Table 7**, the SANG provision at Wellesley and Deepcut Princess Royal Barracks are understood to have been phased, as are numerous other SANGs across the TBH region.
- 5.108 In order to ensure that the phased delivery of SANG does not compromise its ability to secure impact avoidance, the quality features required to make the SANG attractive and effective must be delivered from first occupation to ensure that the desired habits regarding the use of the SANG are established from the outset.
- 5.109 To that end, the scheme has been revised from that originally proposed, to deliver the majority of the SANG at first occupation (77% of the total area). All of the required quality features listed in **Tables 11** and **12** above will be delivered within the first phase of SANG, with the remaining small additional areas of SANG delivered in three subsequent phases (**Map 11**) dictated by the progress of construction and housing occupation triggering the requirement for release of further SANG area capacity.

- 5.110 The development will be constructed as four neighbourhoods in four phases working from west to east served by a construction access road located to the south of the neighbourhood blocks and to the north of the southern SANG.
- 5.111 In order to ensure that the suite of newly created SANG habitats are sufficiently established and mature at first occupation to be both attractive and to possess the qualities required to ensure that the SANG is effective, habitat creation works comprising advance planting and other measures such as the incorporation of mature trees, to be prescribed within the Phase 1 SANG LEMP (and LEMPs for future SANG phases), will be completed at least two growing seasons ahead of first occupation. The applicants intend to submit the necessary detailed information for the first phase of SANG so that it can be implemented soon after the grant of planning permission. **Appendix 7** provides further information regarding timescales for habitat creation, including examples from previous EPR habitat creation work, to demonstrate that suitably mature habitats can be created within two growing seasons.
- 5.112 **Table 12** below identifies the sequence of works associated with SANG phasing assuming that a resolution to grant planning permission is achieved by January 2016, further detail regarding the description of works is provided in the Outline SANG Habitat Creation & Management Plan (EPR, 2015). It also sets out the number of houses each Phase can support, such that the SANG phasing plan can be adjusted alongside future review of housing delivery rates; there must always be sufficient SANG available in advance of occupation of dwellings.

Table 12: SANG Phasing works and SANG release triggers.

Phase	Area per Phase	Cumulative Area	Completion Year	Description of Implementation Works
1	38.7ha	38.4ha	2017/2018	<ul style="list-style-type: none"> • Earth mounding along the northern perimeter of central and western areas of northern SANG. • Construction of drainage ditches and ponds. • Creation of gentle undulations across the northern arable fields of central and western areas. • Strategic planting. • Creation of a 3.9km circular route within the northern SANGS with bound aggregate. • Sow northern arable fields with conservation grass mix. • Construction of boardwalk, bridges and paths in southern SANG area. • Construction of SANGs Car Park, to accommodate a minimum of 50 parking spaces.

				<ul style="list-style-type: none"> Construction of SANGs Link between car park and Phase 1 SANG area.
<p>Estimated earliest occupation - 2018; Using a 1.74% SANG capacity discounting rate across all SANG areas (49.9 → 49.03ha = 1.74% discount) and a provision rate of 10.174ha/1,000 across phases, SANG Phase 1 has capacity to serve <u>1,557 houses</u>.</p>				
2	2.1ha	40.5ha	2026/2027	<ul style="list-style-type: none"> Further construction of drainage ditches and ponds. Additional path creation. Additional planting. Further grassland sowing.
<p>Using a 1.74% SANG capacity discounting rate, SANG Phase 2 has capacity to serve <u>85 houses</u>; SANG Phase 2 to be delivered before the 1558th housing occupation.</p>				
3	8.4ha	48.9ha	2027/2028	<ul style="list-style-type: none"> Additional earth mounding to the north east. Further grassland sowing Additional planting. Orchard creation. Completion of Tump and seeding
<p>Using a 1.74% SANG capacity discounting rate, SANG Phase 3 has capacity to serve <u>338 houses</u>; to be delivered before the 1,643rd housing occupation.</p>				
4	0.7ha	49.9ha	2028/2029	<ul style="list-style-type: none"> Removal of temporary Construction Access Route. Further grassland sowing. Additional planting. Extension of main car park.
<p>Using a 1.74% SANG capacity discounting rate, SANG Phase 4 has capacity to serve 29 houses; to be delivered before the 1,981st housing occupation.</p>				

SANG Permeability, Accessibility and Intercept Potential

- 5.113 Natural England's SANG Guidelines (2008) note that where SPA access points were at existing housing estates, up to 100% of the users surveyed (Liley et al., 2005) arrived on foot. Indeed research carried out by EPR elsewhere within the region has found that people often prefer to arrive on foot, where possible.
- 5.114 This indicates that accessibility of the proposed SANG on foot is likely to be a key attribute ensuring that it becomes well used by future residents of Wisley Airfield.
- 5.115 Natural England's (NE, 2009) SANG Guidelines describe 400m as an 'easy walking distance'. Since all of the proposed new housing is located within 400m of the SANG (**Map**

- 2) the residents of the new housing will be able to easily and conveniently enter the SANG network on foot, making accessing the SANG on foot more convenient and preferable than entering a car to access the SPA.
- 5.116 As described above, the SANG has been designed to incorporate features sought by SPA visitors in general, as well as specific features sought within the nearby Ockham Common, including safe and convenient areas for walking and dog walking, including most notably dog off lead walking, a variety of attractive semi-natural habitats, a varied and lengthy network of well-maintained all weather paths, and ample car parking, a café and visitor centre.
- 5.117 The 2015 visitor survey (**Appendix 5**) found that nearly a third of SPA visitors interviewed visit alternative open spaces for a change/for variety and only 1% of SPA visitors interviewed said that they would not use new open space if it was provided in the local area; just over half of users said that they would visit new open space, and a further half (46%) said that they would use new open space if it met certain criteria, criteria that have been accommodated within the SANG as described above at **Table 12**. The SANG therefore has the potential to intercept a proportion of existing visits made to the SPA, offsetting visits made to the SPA by new residents.
- 5.118 Existing residents at Elm Corner, Hatchford End and Martyrs Green lie within the 400m walking catchment of the proposed SANG, and so may make use of the SANGs rather than visiting the SPA.
- 5.119 The site is crossed by four north-south Public Rights of Way that include two Bridleways. Two further footpaths enter the site from the A3 running east-west following the runway and northern margins of the wooded Stratford Brook as far as Bridgend Farm. These are:
- FP13 - Runs from the site's western entrance along the runway before dropping down to Ockham Lane to the southeast of the site;
 - FP13A - Runs parallel to FP13 along the southern boundary before adjoining FP13 at Hatch Lane;
 - BW544 - Runs from Wisley Gardens, under the A3, across the site before joining Hyde Lane;
 - FP15 - Runs south from Elm Corner to Ockham;
 - BW16 runs south from Wilderness Farm to Hatch Lane; and,
 - FP16 - Runs southwest from Hatchford End to the eastern end corner of Ockham Village.
- 5.120 These existing PROW will increase the likelihood of existing SPA visitors encountering the SANG and diverting a proportion of visits to it, and the SANG has been designed to encourage movement from the PROW into the SANG via strategically located focal points which will draw users along the well-surfaced east-west circular route rather than along the undistinguished northward PROW.
- 5.121 Once in the SANG, the SANG is large enough to accommodate the maximum length of recreational route that would otherwise be pursued on the SPA and the variety of habitats

and features that are sought on the SPA, such that continuation of a visit beyond the SANG along the PROW and into the SPA is not required in order to achieve a satisfactory recreational excursion.

- 5.122 A significantly larger number of existing (and potential SPA visiting) households are located within the 5km catchment of the Wisley Airfield SANG (the catchment generated by SANGs of more than 20ha, JSPB 2009), than will be created as part of the Proposed Development, and a car park with 100 spaces serving the School, SANG and village centre, with 30 of those spaces dedicated to visitors to the SANG will be provided (roughly 1 space per ha of SANG) that will be easily accessible and clearly signposted from the A3 (**Map 9**), making the SANG accessible to existing SPA visitors living within this catchment.
- 5.123 Examination of the postcode dataset reveals that 27,790 households (including potential SPA visiting households) are located within the catchment of the Wisley Airfield SANGs compared to the 2,008 new dwellings proposed. As described above at **Table 6**, it is possible to predict, on an approximate basis, that each household might generate an average of 12 SPA visits per year (5 visits per person, with 2.4 people per household). 2,008 new dwellings at Wisley might therefore generate an additional 24,096 SPA visits per year, in the absence of SANG provision, whilst 27,790 households might generate 333,480 SPA visits per year. Up to 357,576 visits to the SPA would therefore expect to be made to the SPA each year by new and existing houses located within the catchment for the Wisley SANG, in the absence of SANG provision.
- 5.124 In order to offset the visits to the SPA made by the new development, the SANG would need to intercept 6.7% of SPA bound visits per household located within the catchment for the Wisley SANG (including those made by the new development), equating to 0.8 (less than 1) visits per year.
- 5.125 It is reasonable to assume that at least 1 visit to the Wisley SANG might be made in lieu of a visit to the SPA per household per year for those households living within the catchment for the SANG given that: surveys to date have shown that people visiting the SPA visit a variety of other open spaces for recreation; that it is reasonable to assume that people living within a catchment for a SANG would be likely to use it on occasion; and that 99% of people interviewed at Ockham Common said that they would use new open space in the local area if it were provided (and incorporated the right features, as described in **Table 12**), such that an overall balance of visitation to the SPA would be achieved- that is, no net increase in visitation to the SPA. In reality, more than 1 visit per household per year may be intercepted by the SANG, achieving a net reduction in visits to the SPA.
- 5.126 Because proximity to home is an important factor influencing the selection of open spaces (Liley et al. 2005; Fearnley & Liley, 2012; **Appendix 5**) households living closer to the SPA would be expected to make a higher number of visits per year to the SPA than the average (although the South East Plan EIP Assessor found no evidence to suggest that the proportion of visitation increased significantly with increasing proximity to the SPA within the 5km SPA zone; Burley, 2007- paragraph 4.8.3); but equally an effective SANG would be expected to intercept a higher proportion of SPA visits made by houses located closer to the SANG than the SPA (including those generated by the new development). Assuming 'all things being equal' therefore, and that the SANG has accommodated features and qualities rendering it

an attractive alternative to the SPA (discussed above), the figures set out above provide a useful analysis of what is likely to be required of the Wisley SANG in terms of SPA visit interception in order to achieve no net increase in overall visitation.

- 5.127 The SANG has, however, incorporated features that are likely to be particularly attractive to the key SPA user group- dog walkers- by way of the provision of large safe and dry open areas for exercising of dogs off the lead (the main reason people had visited Ockham Common during the 2015 visitor survey) close to home, the incorporation of specific features to ensure that dogs can have fun on their walk such as short grassland areas for ball/frisbee throwing and waterbodies for dogs to swim in, and the provision of all-weather paths so that dogs can be walked year round without getting muddy. This combined with implementation of a behavioural change strategy on the SPA via the proposed SAMM-plus wardening and educational provision (described further below and in **Appendix 9**) to promote dog on lead walking during the bird nesting season, and around livestock, mean that the SANG is likely to become even more attractive than the SPA to dog walkers, further increasing the probability that visits currently made on the SPA will be redirected to the SANG ensuring no net increase in recreational pressure on the SPA.
- 5.128 Furthermore, the transport mitigation measures (refer to 5.23 *et seq.*) propose the blocking of through traffic along Old Lane and re-routing of traffic through the Site; this has the additional potential to increase the probability of SPA-bound visits being intercepted by the SANG.
- 5.129 In summary therefore, the proposed Wisley Airfield SANG given its scale, location, accessibility and composite quality features is anticipated to provide a suitable alternative recreational destination to the nearest component unit of the Thames Basin Heaths SPA such that a high proportion of new, and a proportion of existing, recreational visits that might otherwise be made on the SPA would be diverted to the SANG.
- 5.130 Given the number of existing SPA visiting households located within the catchment of the Wisley Airfield SANG, the accessibility of the SANG on foot and by car for both new and existing local residents, and the high proportion of existing SPA visitors interviewed at Ockham Common who said that they would use new open space in the local area if it were provided, the provision of a circa 50ha new semi-natural open space promoted for recreation adjacent to the SPA is anticipated to secure no net increase in visitation to the SPA alongside the proposed development.
- 5.131 The SANG provision made alongside the SAMM-plus contribution described below, which aims to manage public access to the SPA and further increase the attractiveness of the SANG in comparison to the SPA specifically for dog walkers, provides further certainty that the SANG will be able to secure no net increase in visitation to the SPA.

Management of the SANG & Legal Agreement

- 5.132 A separate Outline SANG Habitat Creation & Management Plan has been prepared for submission which sets out in greater detail the habitats that will be created in the SANG, and the way in which they will be managed in perpetuity to ensure that the SANG remains attractive and effective. Public access within the SANG and effective management and

maintenance of the SANG will be overseen by the Wisley and Ockham Warden Service described further below under 'SAMM Plus' and in **Appendix 10**. Prescriptions and a detailed cost assessment for capital works, capital replacements, in perpetuity management and maintenance tasks, and warden provision, have also been provided to the relevant consultees and to inform negotiations with potential future stewards of the SANG.

- 5.133 A number of options are available for the long-term management and maintenance of the SANG, including:
- Adoption by public or charitable bodies such as a local authority or wildlife trust; or
 - Adoption and/or management of the SANGs via either a Community Land Trust or management company.
- 5.134 An appropriate legal agreement would need to be drafted prior to the grant of consent to secure the delivery of the SANG and its management in perpetuity.

Strategic Access Management and Monitoring: SAMM

- 5.135 Access management and monitoring has always been considered an essential accompaniment to the provision of SANGs as part of the overarching impact avoidance and mitigation strategy for the Thames Basin Heaths SPA. Indeed the South East Plan EiP Assessor commented "*The provision of such spaces [SANGs] will in my view be likely to have some impact on usage of the SPA. It may not be enough to mitigate all adverse affects arising from new housing on its own but if it was combined with habitat and access management I am satisfied that overall it would be likely to have a positive impact in limiting the growth of visitor pressure on the SPA*" (Burley, 2007).
- 5.136 Contribution to the TBH-wide SAMM Project is therefore required from Proposed Developments in order to deliver access management measures and monitoring on the SPA to address any residual effects arising from new housing, or in other terms the potential for visits from new residents to not be fully offset through the provision of SANG.
- 5.137 Natural England's SAMM Tariff Guidance document (March, 2011) sets out at Appendix 3 that:

"The Strategic Access Management and Monitoring project will secure the employment of a Project Co-ordinator and one Warden initially, and then later (as funds allow) an Education Officer and further warden staff. These staff will work with existing rangers and wardens to provide consistent messages to SPA visitors and promote use of the SANGs.

The project also includes a monitoring strategy which will measure both visitor use (of the SPA and the SANGs) and populations of the three SPA birds to ensure that the avoidance and mitigation measures are functioning effectively to avoid any adverse impact of development on the bird populations.

The SAMM project will provide a presence on all sites comprising the SPA but will focus resources according to clear priorities. The priority sites will be those where it is possible to have the greatest influence on visitor behaviour and appreciation of the SPA.” [our emphasis]

- 5.138 Owing to the nature of the project, the measures delivered are unlikely to have a strong focus on any one SPA 'patch', and may not be especially targeted to Wisley and Ockham Commons SSSI; nevertheless the necessary contribution will be made to ensure an appropriate contribution to the strategic access management and monitoring efforts being coordinated across the TBH SPA, but in addition to this a package of 'SAMM Plus' measures will also be provided to assist with lowering the baseline of recreational pressure on Wisley and Ockham Commons SSSI such that a significant effect on this component unit of the SPA as a result of the Proposed Development is not likely.

SAMM Plus

- 5.139 Owing to the proximity of the Application Site to the SPA, and the number of PROWs which run through the site and proposed SANG to the SPA, a package of additional bespoke and site specific access management and monitoring measures is proposed to ensure no likely significant effect on the SPA. This package, intended to address any potential for residual impact on the SPA despite the provision of what is considered likely to be a fully effective SANG, comprises the following key elements which are described in more detail below:

- Funding and promotion of offsite PROW improvements;
- Funding and/or provision of a dedicated Wisley and Ockham Warden Service; and
- A package of public education measures.

Offsite PROW Improvements

- 5.140 In addition to the provision of SANG which will provide an alternative recreational resource for new and existing residents in and around the Application Site, funding and promotion of an additional offsite recreational route comprising Public Rights of Way (PROWs), is proposed as shown on **Map 12** and described below.
- 5.141 The route, measuring 4.2km, starts and ends at the Application Site providing a wider variety of interconnected and interchangeable recreational countryside route options. The route heads south of the Application Site and away from the SPA.
- 5.142 Provision will be made (by way of S106 Agreement) for ongoing localised spot-treatment of existing PROW and an improved and integrated signage network to ensure dry navigable routes whilst retaining the rural countryside feel. The route will be promoted on a bespoke Website where the option to download information about the walking route (length, timing, features along the way) into a smart phone app such as Strava, or into a Garmin device, will be possible. Information about this alternative recreational route will also be provided in the

information packs/leaflets provided to new and existing residents, as well as provided at the SANG car park and café, and at other local information points.

- 5.143 Visitor surveys have shown that people like to visit a number of different sites for recreation, and so seek variety in their recreational experiences. The more variety in alternative sites and recreational routes provided, the higher the probability of existing SPA visits being diverted. Indeed the Appeal decision of C L Sherratt in *Martin Grant Homes vs Hart DC* (APP/N1730/A/14/2228404, Land west of Redfields Lane, Church Crookham) found that *"linkages to other footpaths and SANGs through other green linkages are not a requisite for a SANG of the size proposed and where a 2.3 km walk can be achieved within it. The availability of linkages are nevertheless beneficial and add to the attractiveness of the SANG as an alternative to the TBH SPA." [our emphasis]. Therefore in combination with the SANG, promotion of this alternative recreational route is likely to increase the number of diverted SPA visits, further offsetting any visits made to the SPA by the new residents.*

Wisley and Ockham Warden Service

- 5.144 A number of factors contribute to whether a visit to the SPA results in negative effects on its habitats and Annex 1 birds, including, but not limited to the following:
- Whether responsible behaviour is exhibited during the visit, such as ensuring that dog waste is collected and disposed of appropriately, similarly that rubbish and cigarette ends are not discarded, whether dogs are kept on leads during the bird nesting season and whether people and dogs keep to the main footpaths and do not trample through habitats;
 - The route walked within the SPA and its proximity to known centres of bird territories;
 - The structure of habitats in place along the routes that provide visual screening, and so act to reduce disturbance to adjacent nesting birds; and
 - Whether appropriate signage and information is in place to educate people about making a responsible visit to the SPA

- 5.145 Fearnley & Liley (2012) note that:

"in order to consider changes [in visitor numbers] in terms of the ecological impacts, it is necessary to relate visitor patterns to ecological data, for example by analysing bird data with the visitor data, and considering direct impacts (such as disturbance to birds on the nest, fire incidence, or changes in dog fouling levels, for example)".

- 5.146 Whether changes in visitor numbers to a site conflict with the conservation objectives for that site, that is whether a visit actually results in impacts upon its qualifying features, will depend on any measures that are in place to manage the aforementioned factors.

- 5.147 Research has shown that some forms of public access are more disturbing to birds than others, in particular dogs being walked off the lead during the bird nesting season, therefore some aspects regarding responsible recreation can be targeted for improvement in order to maximise the extent to which recreational pressure on the Annex 1 birds can be reduced.
- 5.148 Since walking dogs off the lead is one of the main reasons that dog walkers, who comprise the largest user group of the SPA, visit the site (as revealed by the 2015 visitor survey and previous surveys undertaken by Liley et al.) promotion of responsible recreation, and specifically dog on lead walking during the bird nesting season, is likely to decrease the appeal of the SPA to those users seeking to visit to exercise their dog off the lead and increase the appeal of nearby open spaces, such as the Wisley SANG, where dogs can be exercised freely off the lead.
- 5.149 Surrey Wildlife Trust's Wisley & Ockham Commons Management Plan 2010-2020 proposes measures (under Feature 6) to manage the effects of increased visitor numbers, which include provision of interpretation, maintenance of paths and rights of way to a high standard, removing fly-tipped waste and litter, maintenance of regular contact with local community groups and patrol of the site to identify necessary actions, and undertaking at least two guided walks each year.
- 5.150 However the focus for SWT rangers is habitat management, and there is insufficient resource capacity for active wardening of the site, public engagement and promotion of responsible recreation. As an example, temporary notices are erected on main access points and information boards during the bird nesting season to request dog on lead walking, but there is no policy or capacity for such behaviour to be enforced. The general public are believed to be largely unaware of the particular sensitivities of the site, the ground nesting habits of its important bird species, and the ways in which they can reduce the impact of their visit on such species, therefore the site is subject to public access issues such as dogs running into sensitive areas whilst off the lead, dog fouling and desire line creation. The signage onsite is also outdated, and the walking route promoted on the internet and via leaflets (**Appendix 8**) and signage provided on site takes users directly to the most sensitive bird nesting area to the east of Old Lane on Ockham Common. There is therefore a need for dedicated wardening and improved public education to help address impacts arising from current and future visits.
- 5.151 Funding is therefore proposed to provide a dedicated Wisley and Ockham Warden Service, which is to be supported by further funding of public education measures as described further below. The Wardening provision would cover not only the SPA, but also the Wisley SANG and offsite walking route, providing an integrated approach to access management, public education and monitoring within the area.
- 5.152 Wardening efforts within Wisley and Ockham would also need to link up with the wider Thames Basin Heaths SAMM Project to ensure that consistent messages are conveyed to visitors within the SPA and offsite areas (SANG and PROWs) respectively.
- 5.153 The wardening role would therefore be diverse and consist of the following key priorities:

- Patrolling the SPA to positively engage with the public and implement the behavioural change strategy set out at **Appendix 9** in accordance with the following essential criteria as a minimum provision (as may be adapted in liaison with NE and SWT):
 - daily (including weekend) patrolling on the SPA during the spring and summer timed to coincide with peak periods of visitor access (7-9am and 5-7pm between Mondays and Fridays, and between 9am and 5pm on Saturdays and Sundays; with times adjusted in the winter to reflect daylight hours but to maintain a daily warden presence on site) and focussed on key areas that are subject to the greatest visitor pressure (for example the areas and routes identified by SWT on Figure 7 of their Management Plan as being subject to the greatest visitor pressure and the hotspot areas of recreational pressure highlighted on **Map 6**) and/or are most sensitive to visitor access;
 - increase awareness regarding the site's sensitive features and the impacts that a visit to the SPA can cause by way of public education;
 - promotion (and/or request) of desired responsible recreational behaviours, specifically dog on lead walking during the bird nesting season, collection of dog waste, and use of existing paths, engaging proactively with the public to acknowledge those people using the site responsibly and directly addressing harmful activity on the spot, helping to manage visits to minimise any negative impacts upon the site's qualifying features and decrease the relative attractiveness of the SPA to those users seeking dog off lead access;
 - increasing awareness about alternative options for recreation away from the SPA, including specifically the Wisley SANG, and in particular why such sites may be more desirable to particular SPA users including dog walkers, thereby increasing the relative attractiveness of the SANG and the potential for the baseline number of visits to the SPA to be maintained or reduced;
- Patrolling the SANG and offsite PROWs to engage the local community, particularly the dog walking community, and encourage activity away from the SPA;
- Patrolling the SANG to identify ongoing management and maintenance issues and to ensure appropriate action is taken to ensure the ongoing attractiveness and efficacy of the SANG;
- Coordinating organised walking and dog walking groups and other activities to engage the local community, encourage activity away from the SPA, and further promote responsible recreation as per the behavioural change strategy set out at **Appendix 9**, as has proven successful in Dorset with projects such as 'Dorset Dogs';
- Liaising with TBH SAMP Project Wardens working across the wider TBH area to seek a fully integrated supplementary wardening provision, and to provide feedback to the TBH SAMP Project;
- Providing ongoing monitoring and assessment of public access impacts on the SPA through maintenance of an access incident log and monitoring of visitor

access to the SANG and SPA following a methodology to be agreed with Natural England, the results of which will be reviewed against Annex 1 bird data, in order to identify any residual effects arising from the proposed development and to devise a means for managing significant residual impacts, eg. Through onsite access and habitat management measures (see below), and

- Providing input to the targeted design and implementation of onsite access and habitat management measures, for example redesigning the walking routes promoted onsite to avoid the most sensitive ground nesting bird areas, implementing a dog zoning policy within the site, installation of temporary measures to prevent the formation of desire lines, strategic habitat management to dissuade the formation of unwanted desire lines and input to other ongoing site management activities that are most likely to achieve the desired access management outcomes and responsible behaviour.

5.154 1.5 full time equivalent roles are anticipated to be required to achieve the above actions; further detail regarding the role profile of the Wisley and Ockham Warden Service is provided at **Appendix 10**.

5.155 Active wardening via the Urban Heaths Partnership has been an important component to Strategic Access Management and Monitoring in Dorset, and continues to be funded through the Dorset Heathlands Planning Framework SPD, including through the 2015-2020 Consultation Draft. The TBH SAMM Project is another particularly relevant example of the importance of wardening and access management initiatives in managing the residual effects of wide-scale development across the region. Wardening has also more recently been part of the accepted solution for the Solent Disturbance and Mitigation project and North Kent SAMM Strategy.

5.156 The provision of a dedicated warden for the Wisley and Ockham area is therefore anticipated to:

- assist in securing diversion of SPA visits to the Wisley SANG;
- maintaining or even lowering the baseline rate of visitation to the SPA; and
- reducing the prevalence of visits resulting in negative effects on the Annex 1 birds.

5.157 It therefore represents a valuable contribution towards ensuring that the conservation objectives for the SPA are achieved alongside ongoing efforts by SWT to restore favourable condition to the SSSI through habitat management and other site maintenance works, and provides an effective means by which any residual effects arising from the proposed development are addressed.

5.158 Further to this and as described further at **Appendix 9**, Wisley Property Investments Ltd. are committed to exploring with Surrey County Council as landowner, and Surrey Wildlife Trust as land manager, the potential for securing, as part of the SAMM-plus package, designation of the parts of Ockham Common not already registered as Common Land under Section 16 of the CRoW Act 2000.

- 5.159 This would provide further means, beyond the key principles for positive community engagement and education described above, to achieve dog on lead walking during the bird nesting season. As has been described above, this would provide further certainty that dog on lead walking could be achieved on the SPA, helping to tip the balance of the SPA's relative attractiveness to its key user group (dog walkers) and thus probability for visitation, in favour of the Wisley SANG, when considered alongside the wider wardening and public education efforts. It would also maximise the potential for reducing impacts associated with ongoing visitation to the SPA.
- 5.160 In order to determine the viability of such a designation, the extent of the Registered Common Land is to be reviewed, and the desirability of the designation and its consequent implications for public access is to be discussed with SCC/SWT who have indicated that, subject to full evaluation, neither party has an early issue with the proposal.
- 5.161 Should further designation of the land be viable and desirable, this would be achieved as part of the Wisley Airfield SAMP-plus package. Further allowance has therefore been made within the SAMP costing assessment to facilitate enforcement action under the CROW Act, as and when required, on the presumption that the designation will be possible.

Public Education

- 5.162 In addition to signage and promotion of the SANG and the improved offsite recreational route within the development and the local area, including creation of a website and production of information packs/leaflets, and provision of a Warden Service to coordinate public education initiatives locally, funding will also be made available to improve signage and interpretative material provided within Wisley and Ockham Commons SSSI, as set out within the behavioural change strategy provided at **Appendix 9**. This will ensure a consistent message regarding public access and responsible recreation within the SANG and SPA, helping to maximise diversion of visits that would otherwise be made to the SPA to the SANG, whilst ensuring that visits continuing to be made to the SPA do not result in negative impacts upon the site's qualifying features.

Delivery of SAMP Plus Measures

- 5.163 Alongside costing for the creation and ongoing management of the SANG, a detailed costing assessment has also been undertaken for the above SAMP Plus measures, which are also to be funded in perpetuity, to underpin and ensure robustness of future legal agreement(s).
- 5.164 The necessary funding for the PROW improvements will be provided to SCC via GBC, as secured by appropriate legal agreement. SCC has confirmed in pre-application consultation that they are willing to accept funds for the purpose of enhancing the proposed route.
- 5.165 The wardening service would either be managed by a Community Land Trust or management company established to manage the SANG, by a local authority or wildlife trust, or a combination of the above, again with the necessary funding secured by appropriate legal agreement.

- 5.166 Delivery of the Behavioural Change Strategy set out in **Appendix 9** can be secured by appropriate planning obligation or condition.

Conclusion

- 5.167 The proposals comprise an extensive and bespoke package of impact avoidance and mitigation measures that aim to divert visits from the SPA that would otherwise be made by new and existing residents through the provision of SANG at a greater than standard rate, and on a scale that can accommodate the key quality features sought on the SPA, and through the improvement and promotion of an additional offsite recreational route, but also by helping to manage the effects of public access to the SPA, through the provision of a dedicated Wisley and Ockham warden and public education initiatives, to reduce the incidence of visits resulting in negative effects on the SPA habitats and Annex 1 birds. As such the proposals are not likely to conflict with the Conservation Objectives for the SPA.
- 5.168 Therefore through these focussed and integrated site specific provisions, made in perpetuity, it is concluded that the Proposed Development is not likely to have a significant effect on the Thames Basin Heaths SPA when considered alone, nor to adversely affect its integrity, as a result of increased recreational pressure.

6. CAT PREDATION

Introduction

- 6.1 This section considers the potential for an increase in cat predation as a result of the Proposed Development and whether such effects could impact upon qualifying SPA birds.

Receptor Sensitivity

- 6.2 Cats are voracious predators of wildlife including birds, and ground-nesting birds are particularly vulnerable whilst nesting. A survey performed in 1997 reported that nine million British cats brought home 92 million prey items over a five-month period (Woods et al. 1997). A large proportion of domestic cats are found in urban situations, indeed the Pet Food Manufacturers Association reports that 21% of households in the South East own a cat, therefore increases in housing numbers is likely to lead to increased cat ownership and increased cat predation.

Defining the Zone of Influence

- 6.3 The TBH SPA Delivery Framework incorporates a 400m exclusion zone around the SPA in part owing to the predominant roaming distance of cats (JSPB, 2009). The Zone of Influence within which cat predation is likely to occur would therefore extend to a 400m distance from development areas subject to a net increase in dwellings.

Assessment of Likely Significant Effects

Construction Phase

- 6.4 There are no predicted impacts from increased cat predation associated with the construction phase.

Operational Phase

- 6.5 The Proposed Development will result in a net increase in 2,000 potentially cat owning dwellings (C2 Use Classes are discounted as described in **Section 5**), therefore the development is likely to result in an increase in the local cat population by at least 420 cats. Since the Proposed Development respects the 400m exclusion zone, all new dwellings are located more than 400m from the SPA, which is the predominant cat roaming distance (Burley, 2007), and therefore extensive cat roaming within the SPA is unlikely. Even if cats do roam further from their homes, which tends to be associated with more rural settings, they would need to move a distance of 800m or more to access the core Annex 1 bird territory areas to the east of Old Lane (**Map 13**), and cats are unlikely to cross the A3 to Wisley Common. As a result, a significant increase in cat predation on Annex 1 birds is not considered to be likely.

Conclusion

- 6.6 Owing to the distance between new housing areas and the SPA, and specifically areas comprising Annex 1 bird territories, a likely significant effect on the SPA as a result of increased cat predation is not anticipated.

7. NOISE

Introduction

- 7.1 This section considers potential adverse effects due to the Proposed Development on International Sites based on noise modelling undertaken by WSP. This section is based on the detailed assessment of noise presented in Chapter 9 of the ES.
- 7.2 The data from noise modelling has been used here to make an assessment of potential adverse effects from noise generated during the construction phase, and from transportation noise during the operation phase of the Proposed Development, in the absence of impact avoidance and mitigation measures.

Receptor Sensitivity

Noise Effects on Birds

- 7.3 The response of birds to noise has been widely studied, although a recent review of published research (Radford *et al.*, 2012) concluded that there was little reliable evidence of the effects noise had on birds (and other wildlife) that could not otherwise be attributed to other effects. However, birds certainly do respond to noise and the Environment Agency's Air Quality Technical Advisory Group guidance (EA 2004) indicates that continuous noise levels exceeding 55 dB (1 hour L_{Aeq}) and loud but discontinuous noise events exceeding 85 dB (maximum, L_{Amax}) may have adverse effects on the breeding behaviour of some bird species. However, adverse impacts from continuous noise are not universal and instances of adaptation by some species to background noise have been identified.

Noise Effects within Proposed SANG

- 7.4 BS 8233:2014 'Guidance on sound insulation and noise reduction for buildings' advocates an upper guideline value of 55 dB $L_{Aeq,1}$ external amenity space, however this is focussed on personal gardens/balconies and isn't directly applicable to shared external amenity areas.
- 7.5 There is currently no UK guidance specifying or recommending limits for short-term noise exposure within shared outdoor amenity areas. In respect of 'outdoor parkland and conservation areas' the World Health Organisation's Guidelines for Community Noise identifies 'disruption of tranquillity' as the critical health effect, and does not quantify an upper noise limit. Table 4.1 of the GCN does recommend, however, that "existing quiet outdoor areas should be preserved and the ratio of intruding noise to natural background sound should be kept low".

Defining the Zone of Influence

- 7.6 The extent of the study area included the Application Site itself and sensitive receptors beyond the Application Site boundary. The extent of the study area beyond the Application

Site boundary is defined by the proximity of the existing noise and vibration sensitive uses to the Application Site.

- 7.7 The potential Zone of Influence encompasses those parts of the Site and adjacent designated areas where noise levels are predicted to increase above the thresholds for SPA birds. The closest point of the SPA/SSSI boundary is approximately 70m from the Application Site. Noise levels within the proposed SANG were also assessed which lies entirely within the Site boundary.

Assessment Methodology

- 7.8 To determine the baseline noise environment across the Site, noise measurements were taken at monitoring locations at four points across the site.
- 7.9 Monitoring was undertaken at the following locations:
- In the west of the Application Site, close to the A3;
 - In the north of the Application Site;
 - In the east of the Application site adjacent to Old Lane; and
 - In the south-eastern area of the Application site adjacent to Ockham Lane.
- 7.10 Operational noise contours with regards to the Site and proposed SANG are shown on **Map 14**.

Assessment of Likely Significant Effects

Construction Phase

Impact on SPA Birds

- 7.11 Construction noise levels have been predicted at the closest area of the SPA to the site, which is to the north of Elm Lane. The noise levels have been predicted for each stage of the construction process and are set out in **Table 13** below.

Table 13: Predicted Construction Noise Levels at SPA, Free- field, dB L_{Aeq,T}.

Receptor	Site Preparation	Ground Works	Foundation Works	Super-structure
SPA	58	57	38	39

- 7.12 **Table 13** shows that the predicted noise level during construction could reach 58dB. However, this is predicted for land immediately to the north of Elm Lane, and noise levels are likely to considerably attenuate before reaching more distant parts of Ockham Common

that support Annex 1 bird territories (**Map 3**). A significant impact on Annex 1 birds as a result of noise levels during the construction phase is not therefore anticipated.

Operational Phase

Impact on SPA Birds

- 7.13 An assessment has been undertaken to determine the change in noise levels on the surrounding roads as a result of development-related vehicle movements. **Table 14** below details the changes on the roads that are adjacent to the SPA, where traffic data are available. The comparison is between the '2031 baseline plus committed developments' scenario and the '2031 baseline plus committed developments and the proposed development' scenario.

Table 14: Operational Road Traffic Noise Levels for Scenarios A and B, dB L_{A10,18hour}

Receptor	Road Traffic Noise Level		Difference
	Scenario A (future baseline without dev.)	Scenario B (future baseline with dev.)	
A3 (South of M25 Junction 10)	86.0	86.0	0.0
Old Lane	65.6	66.6	+1.0

- 7.14 The maximum increase in noise levels during the operational phase of the Proposed Development at receptors on the A3 and Old Lane adjacent to the SPA is predicted to be 1dB, which is considered to be an indiscernible increase.
- 7.15 In view of the above, it is concluded that the proposal is not likely to have a significant effect on the Thames Basin Heaths SPA when considered alone, nor adversely affect its integrity.

Impact on SANG

- 7.16 **Map 14** shows that noise levels throughout the 3.9km circular walk within the northern SANG area will be below 55dB or between 55-60dB during the operational phase. Only small and discrete areas within the SANG adjacent to the A3 corridor will be subject to noise levels above 60dB. However given the local context, where visits to Wisley and Ockham Commons SSSI are made despite its proximity to the noisy A3 and M25 corridors, noise levels within the Proposed SANG are not considered likely to materially detract from its attractiveness, with other factors such as convenience and suitability for dog walking most likely to have a greater influence.

Conclusion

- 7.17 In view of the above, it is concluded that the proposal is not likely to have a significant effect on the Thames Basin Heaths SPA as a result of noise when considered alone, nor to adversely affect its integrity.

- 7.18 Furthermore noise during the operational phase is not anticipated to affect the attractiveness and efficacy of the proposed SANGs.

8. SURFACE WATER AND GROUNDWATER

Introduction

- 8.1 This section considers potential adverse effects of the Proposed Development on habitats within The Thames Basin Heaths SPA as a consequence of potential changes in surface water and groundwater quality and quantity.
- 8.2 The information summarised below is taken from Chapter 7 – Drainage and Flood Risk of the ES, prepared in support of the planning application by WSP.

Receptor Sensitivity

- 8.3 Heathland and woodland habitats are sensitive to the effects of pollution through groundwater and surface run-off sources on water quality. These habitats are also sensitive to changes in water quantity which may affect the water table and water levels essential for supporting associated vegetation communities.

Defining the Zone of Influence

- 8.4 Identification of the potential Zone of Influence with respect to surface water and groundwater was based on an understanding of the surface water and groundwater catchments. In this respect, connectivity between the Application Site and The Thames Basin Heaths SPA was identified, as is discussed in detail below.

Assessment Methodology

- 8.5 Full methodology regarding the assessment of potential impacts of the Proposed Development on the hydrological and hydrogeological environments is included in ES Chapter 7 'Drainage and Flood Risk' but in summary involved the following:
- Consultation with relevant statutory and non-statutory bodies as part of the Scoping exercise;
 - Detailed desk studies and site visits to establish current geological, hydrological and hydrogeological conditions;
 - Evaluation of the potential impacts of the development and the effect that these could have on the current site conditions;
 - Identification of possible measures to avoid and mitigate against any adverse impacts resulting from the proposed development; and
 - Evaluation of the residual significance of these impacts by consideration of the sensitivity of the baseline features on the application site, potential magnitude of these impacts and the probability of these impacts occurring, following mitigation.

Baseline Conditions

Topography

- 8.6 The Site lies on a plateau at an elevation of approximately 40m above Ordnance Datum (aOD). The majority of the Application Site is relatively flat with a minimal change of elevation which is reflective of its former use as an airfield.
- 8.7 The Site forms a natural watershed with surface water running off to both the north and south and is therefore divided into two drainage catchments; one draining towards the north-west and the other towards the south-west.
- 8.8 In the south-west corner, the Application Site falls towards the Stanford Brook, before rising to form the banking of the A3 and associated roundabout and slip road. The Stanford Brook flows from east to west to the south of the Site, converging with the River Wey at the north-west end of Mill Lane (approximately 800m west of the Site).
- 8.9 Runoff from the north flows into a network of small unnamed drainage ditches flowing from south to north, converging with the River Wey at various locations north of the A3. **Map 15** shows the topography of the Application Site and the waterways contained within the OS Mastermap, which illustrates the drainage catchments described above.

Surface Water

Surface Water Features

- 8.10 The Site is not located within the vicinity of the coast, nor is the site situated within the vicinity of a Tidal estuary.
- 8.11 The Site is located within the catchment of the River Wey, which lies approximately 1.2km to the west. The Stanford Brook flows through the south-west part of the Site and is a tributary of the River Wey, flowing into the River Wey at the north-west end of Mill Lane, approximately 800m to the west of the Site. The River Wey and Stanford Brook are classified by the Environment Agency as Main Rivers.
- 8.12 Stanford Brook flows south-east to north-west and passes beneath the A3 at Ockham Interchange to the west of the Site. The Brook lies within the Thames River Basin District, within the River Wey catchment.
- 8.13 There are seven current discharge consents to surface water listed within 1km of the Site, details of which can be found in the Chapter 7 of the ES.
- 8.14 The Environment Agency's Flood Mapping shows that the majority of the Site is within Flood Zone 1, which comprises land thought to have less than a 1 in 1000 probability of river flooding in any given year. A small area of the Site, along with the alignment of the Stanford Brook is located within Flood Zone 2 and 3. Flood Zone 2 comprises land assessed as having

between a 1 in 100 and a 1 in 1000 annual probability of river flooding. Land in Flood Zone 3 is assessed as having a 1 in 100 or greater annual probability of river flooding.

- 8.15 The Site is located within the Weybridge Catchment Abstraction Management Strategy (CAMS) area. The CAMS indicates that the surface water accounts for approximately 30% of all abstraction in this area and groundwater accounts for approximately two thirds of abstraction in the Wey catchment.
- 8.16 The Site is located in a portion of the catchment described in the CAMS as 'AP7 Weybridge' which has the local resource status of 'water available for licensing' that is over-ridden by the flow requirements of the River Thames that changes the status to 'water not available for licensing.'
- 8.17 Without appropriate mitigation measures in place, uncontrolled surface water runoff from the Proposed Development could pose a detrimental impact to the aforementioned surface water features and, indirectly, their groundwater receptors, including the Thames Basin Heaths SPA.

Surface Water Quality

- 8.18 The River Basin Management Plan (Rivers) for Stanford Brook regards surface water quality as:
- Current Ecological Quality: Moderate;
 - Current Chemical Quality: Not Yet Assessed;
 - 2015 Predicted Ecological Quality: Moderate;
 - 2015 Predicted Chemical Quality: Not Yet Assessed.
- 8.19 The River Basin Management Plan for River Wey regards surface water quality as:
- Current Ecological Quality: Moderate (downstream poor);
 - Current Chemical Quality: Not Yet Assessed;
 - 2015 Predicted Ecological Quality: Moderate.
- 8.20 The Site and locale are not classified as a surface water nitrate vulnerable zone

Groundwater

Hydrogeological Characteristics

- 8.21 The British Geological Survey (BGS) Map No. 285 indicates that the Site is underlain by superficial deposits of the Lynch Hill Gravel Member of sand and gravel, locally with lenses of silt, clay or peat; over the bedrock of the Bagshot Formations of pale yellow-brown sand and sparse seams of gravel; and bedrock of the London Clay Formation or poorly laminated blue-grey silty clay with some sand layers.

- 8.22 The Lynch Hill Gravel Member (superficial geology) is classified by the EA as a Secondary (A) Aquifer. According to the EA aquifer classification system, 'Secondary (A)' aquifers are defined as permeable layers capable of supporting water supplies at a local rather than strategic scale and in some cases, forming an important source of base flow to rivers.
- 8.23 The Bagshot Formation (bedrock geology) is classified by the EA as a Secondary (A) Aquifer. Where the Bagshot Formation is absent in the south western area of the Site, the bedrock geology comprises the London Clay Formation, classified by the EA as an Unproductive Stratum. Unproductive strata are rock layers or drift deposits with low permeability that have negligible significance for water supply or river base flow.

Groundwater Levels and Flows

- 8.24 Groundwater flow in the Lynch Hill Gravel Member/Bagshot Formation is estimated to be northwest, away from the Stanford Brook.
- 8.25 According to the Environment Agency, the aquifer vulnerability classification for the Application Site is divided into 'Soils of High Leaching Potential (H1) and (H2)'. Soil Classification (H1) are soils defined as 'soils which readily transmit liquid discharges because they are either shallow or susceptible to rapid by-pass flow directly to rock, gravel or groundwater'. Superficial geology comprising the Lynch Hill Gravel Member is likely to fall into this category. Soil Classification (H2) are soils defined as 'deep, permeable, coarse textured soils which readily transmit a wide range of pollutants because of their rapid drainage and low attenuation potential'. Bedrock geology comprising the Bagshot Formation is likely to fall into this category.

Groundwater Quality

- 8.26 The Site and locale are not classified as either a nitrate vulnerable zone or a source protection zone.
- 8.27 The River Basin Management Plan (Groundwater) for the area currently regards the site and surround areas groundwater quality as:
- Current Quantitative Quality: Poor;
 - Current Chemical Quality: Good;
 - 2015 Predicted Quantitative Quality: Poor;
 - 2015 Predicted Chemical Quality: Good.
- 8.28 Chapter 7 of the ES deals with the risks to groundwater from contaminants.

Water Resources

- 8.29 Based upon the EA's groundwater mapping, the Site is indicated to lie outside of designated Groundwater Source Protection Zones.

- 8.30 The Site is located within the Weybridge Catchment Abstraction Management Strategy (CAMS) area. The CAMS indicates that the surface water accounts for approximately 30% of all abstraction in this area and groundwater accounts for approximately two thirds of abstraction in the Wey catchment.
- 8.31 The Site is located in a portion of the catchment described in the CAMS as 'AP7 Weybridge' which has the local resource status of 'water available for licensing' that is over-ridden by the flow requirements of the River Thames that changes the status to 'water not available for licensing.'

Assessment of Likely Significant Effects

- 8.32 Key aspects of the Proposed Development which would potentially generate unmitigated impacts upon flood risk and the hydrogeological / hydrological regimes with the potential to result in consequent effects on the SPA include:

Construction Phase

- Potential increase in physical contamination entering surface water bodies and drainage features due to increased sediment loading during construction; and
- Potential increase in flood risk during Construction.

Operational Phase

- Potential increase in physical contamination entering surface water bodies and drainage features due to increased sediment loading during Operation; and
- Potential increase in flood risk during Operation.

- 8.33 A brief outline of the impact assessment is provided below. However, Chapter 7 of the ES should be referred to for further detail.

Construction Phase

Potential Increase in Physical Contamination Entering Surface Water Bodies and Drainage Features due to Increased Sediment Loading during Construction

- 8.34 Construction activities may lead to the disturbance and mobilisation of physical contaminants (i.e. dust, sediments and muds). Particularly during periods of heavy rainfall, vehicle movements resulting in damage to soil structure may generate increased suspended solids content within surface water run-off. In addition, during periods of dry, windy weather, windblown dusts generated by the excavation of soils and breaking out of existing hard-standing and foundations have the potential to directly reduce the quality of surface water features.
- 8.35 On-site surface water features in the north of the Application Site discharge to the River Wey. Construction activities, if left unmitigated, could increase sediment loads within the watercourses, resulting in increased turbidity and a reduction in dissolved oxygen.

- 8.36 During the construction of the Development, contamination from mobilised suspended solids through site runoff and spillage of fuels, oil or cement may lead to contaminated water. This may impact groundwater as well as surface water features.
- 8.37 Pollutants associated with routine runoff can affect biodiversity by directly affecting water quality through contaminants, or by sediment smothering, feeding and breeding grounds and physically altering a habitat.
- 8.38 Due to the on-site surface water features and connectivity with catchments encompassing the SPA, the potential for increased physical contamination of surface water and drainage features flowing into the SPA during construction cannot be ruled out in the absence of mitigation.

Potential Increase in Flood Risk during Construction

- 8.39 Notwithstanding the presence of extensive existing impermeable concrete and hardstanding areas within the Application Site, construction of the Development is likely to lead to the introduction of impervious structures and a reduced permeable area through the temporary siting of the contractor's compound and storage areas which may temporarily increase the amount of surface water runoff. This may lead to flooding across the Application Site, as well as within the surrounding area.
- 8.40 Overland flow across, into, or out of, the Application Site would currently follow the line of least resistance (natural topography), which is likely to change during construction and this may reduce the quantity of water entering features that drain towards the SPA.
- 8.41 There is a low risk of fluvial and groundwater flooding at the Application site, and only relatively small areas are assessed as being at 'medium' risk of surface water flooding. Nevertheless potential effects as a result of increased flood risk during construction cannot be ruled out in the absence of mitigation.

Operational Phase

Potential Increase in Physical Contamination Entering Surface Water Bodies and Drainage Features due to Increased Sediment Loading during Operation

- 8.42 The impermeable area on-site during the operational phase will largely remain unchanged compared to the current conditions. However, the distribution of the impermeable areas across the Application Site is anticipated to change with increased infrastructure (sediment traps within gully drains etc) which should reduce the sediment loading to surface watercourses.
- 8.43 The potential for sediment entrainment in surface water run-off is anticipated to decrease during operation, due to the nature of the Development which will only involve minimal or localised disturbance of soils, such as within private gardens. Furthermore, a change in land use from agricultural to residential will result in a lower volume of physical contaminants

(sediment) which could potentially be entrained in surface water run-off and discharged to surface water receptors, reducing their physical, chemical and biological quality.

- 8.44 During the operational phase, the potential for pollutants to enter the groundwater and surface water remains, primarily originating from routine runoff from operational roads in the development.
- 8.45 Potential contamination infiltrating and entering the surface water drainage system has the potential to impact groundwater and surface water features draining into the SPA and towards the River Wey, either as dissolved or suspended load which has the potential to affect water quality. Measures will therefore be required to ensure that negative effects on water quality are avoided.

Potential Increase in Flood Risk during Operation

- 8.46 Potential sources of flooding at the Application Site include surface water, fluvial and groundwater.
- 8.47 Reference should be made to the FRA for detailed information on baseline and flood risk, the potential effects of the proposed development on flood risk and development of the mitigation measures to protect on-site and off-site water receptors, including those within the SPA, from the effects of flood events.

Surface Water Flood Risk

- 8.48 Land in the northern extent of the Application Site drains via several unnamed drainage ditches which begin on or close to the northern boundary of the Application Site and flow from south to north towards the SPA. These ditches converge with the River Wey at various locations to the north of the A3 and are classified as ordinary watercourses. These watercourses are therefore, the responsibility of the riparian owners, although the Lead Local Flood Authority has a duty over managing flood risk from ordinary watercourses.
- 8.49 Surface water flooding may occur when extreme rainfall exceeds the capacity of the drainage system; the ground becomes saturated such that further rainfall cannot filtrate. Surface water flooding may be exacerbated by blockage of drainage ditches.
- 8.50 The proposed surface water drainage strategy is based upon the principle of retaining the unnamed drainage ditches to the north of the site, together with onsite SuDS.
- 8.51 The construction of developments can create local changes to the catchment drainage pattern. In order to ensure that the Development does not result in an increase in surface water flood risk and altered hydrological flow to offsite receptors, the drainage strategy proposes that surface water flows be controlled and attenuated to ensure that the effect of the Development upon the drainage network is mitigated, such that water levels downstream are unchanged. The surface water drainage strategy seeks to mimic the existing drainage regime at the Application Site, ensuring no change to the hydrological conditions within offsite receptors, including the SPA.

Fluvial Flood Risk

- 8.52 As all the built areas of the Development will not be situated in the floodplain, the Development will not alter the flood levels and extents of the existing watercourses.
- 8.53 The surface water drainage strategy for the Development will provide mitigation for increased flows towards the River Wey for the lifetime of the development such that risks of fluvial flood effects on the SPA are avoided.

Groundwater Flood Risk

- 8.54 The general groundwater flow direction at the Application Site is considered to be towards the River Wey to the northwest, with local variations in proximity to the drainage network in the northern half of the Application Site.
- 8.55 Groundwater flooding occurs when the water table rises above the level of the ground. Groundwater levels fluctuate spatially and temporarily across the Application Site and surrounding area. Higher groundwater elevations are expected further away from the influence of the network of ditches and groundwater drawdown is anticipated locally adjacent to the drains. Higher groundwater elevations are also anticipated during periods of higher rainfall.
- 8.56 Notwithstanding this, no records of groundwater flooding on Site have been identified, and risk of groundwater flooding during the operational phase is anticipated to be low. The surface water drainage strategy for the Development will provide mitigation for any prospect of increased flows towards the River Wey for the lifetime of the development such that risks of groundwater flood effects on the SPA are avoided.

Impact Avoidance and Mitigation

Construction Phase

Potential Increase in Physical Contamination Entering Surface Water Bodies and Drainage Features due to Increased Sediment Loading during Construction

- 8.57 Mitigation during the construction phase will include a variety of good environmental site practices to avoid or minimise effects at the source. Such measures include, but are not limited to, the following:
- Working areas shall be clearly defined to ensure the disturbance of soils is minimised, where possible;
 - Haul routes and accesses shall be clearly defined to minimise risk of accidents. Construction vehicles will be regularly maintained to reduce the risk of hydrocarbon contamination associated with leaks and spillages, and will only be active when required;
 - The cleaning of vehicles wheels prior to leaving site;

- Controlled and covered waste storage areas;
- Dust suppression (i.e. damping down);
- Installation of systems such as silt traps and swales designed to trap silty water including adequate maintenance and monitoring of these to ensure effectiveness, particularly after adverse weather conditions;
- Designated areas for the storage of hazardous materials, fuels and chemicals. All designated areas will be appropriately bunded and all filler points/valves will be located within the extent of bund or appropriate drip trays provided;
- On-site availability of oil spill clean-up equipment including absorbent material and inflatable booms for use in the event of an oil spill/leak;
- Use of drip trays under mobile plant;
- Provision of environmental awareness training for site workers;
- The Drainage Strategy will be implemented on a phase by phase basis as part of the design solution; and
- Use of inert, uncontaminated material during construction.

- 8.58 Best practice recommendations for the prevention of contamination will be outlined in more detail in a Construction Environment Management Plan (CEMP) which will incorporate the Environment Agency Pollution Prevention Guidelines and CIRIA guidance. The CEMP will include an erosion prevention and sediment control plan to reduce the quantity of sediment entrained in runoff and to prevent hydromorphological changes to surface water features.

Potential Increase in Flood Risk during Construction

- 8.59 Concurrent phasing of site preparation, earthworks and construction and operational works will be required for the Application Site and the potential for construction activities to occur within the site at the same time as other phases become operational have been considered in the assessment of effects. The drainage strategy will be implemented on a phase by phase basis as part of the design solution.

- 8.60 It is assumed that the following standard mitigation measures will be undertaken at the Application Site during the construction phase to minimise the risk of flooding:

- Deep excavations will not be attempted in wet weather or following periods of sustained wet weather, when groundwater levels have the potential to be high. These works will be undertaken prior to development to confirm groundwater elevations and therefore the potential for ingress of water during excavations. Dewatering measures will be employed if necessary. If dewatering is required, abstraction and discharge licences will be sought from the Environment Agency under the terms of the Water Resource Act 1991;
- Movement of materials around the Application Site will be managed under an appropriate Materials Management Plan to ensure the placement of materials does not change baseline levels of flood risk. Materials will not be stockpiled in the floodplain or in such a way that will increase flood risk off site;

- Workers on-site will be made aware of risks and how to mitigate them during the site preparation, earthworks and construction phase;
- Prior to the commencement of the construction phase, site runoff will be controlled to mitigate both flood risks and sediment loading, ensuring the protection of water quality in receiving waterbodies from increased sediment and contaminant load;
- It is anticipated that surface water runoff from the various construction areas within the Application Site could be managed by the siting of temporary impervious structures on the existing concrete and hardstanding surfaces, and / or the use of temporary bunding and settlement ponds to protect the receiving water environment from excess water, sediment load and contaminants. Settlement ponds allow for isolation and on-site treatment of sediment laden or chemically contaminated surface water runoff prior to discharge, following agreement with the appropriate authority, or use of other appropriate means of disposal; and
- Best practice construction measures will be adopted in line with the Considerate Contractors Scheme and 'Site handbook for the construction of SUDS' (CIRIA C698) to minimise the risk of flooding during construction.

Operational Phase

Potential Increase in Physical Contamination Entering Surface Water Bodies and Drainage Features due to Increased Sediment Loading during Operation

- 8.61 The drainage strategy is designed in accordance with the SuDS Management Train, as detailed in the CIRIA SuDS Manual (C697). This multi-staged approach will provide protection against the migration of pollutants dissolved and/or suspended in the runoff to groundwater and surface water features. Interceptors will also be installed on the drainage network to provide additional protection against pollutants. The discharge from the Application Site via SuDS will maintain the current level of water quality.
- 8.62 Pollution control measures will include trapped road and car park gullies and oil interceptors which will attenuate physical contaminants. These facilities will be subject to routine maintenance.

Potential Increase in Flood Risk during Operation

- 8.63 Infiltration drainage will be used where feasible within the Application Site to assist in the control of water movement to offsite receptors. Surface water runoff will be discharged at the existing Greenfield runoff rate for the Application Site, meaning the rate of water entering the surface water features on-site and off-site will not be increased as a result of the Development, into the onsite drainage ditches which will be retained within the Development, and new attenuation basins will be used to detain additional water.
- 8.64 Finished site levels will be engineered to provide positive drainage and prevent ponding. Gradients of external areas will be designed such that any overland flow resulting from extreme events will follow the path of least resistance, following natural topography. The

accumulation of standing water will therefore be minimised resulting in the maintenance of the existing hydrological regime.

- 8.65 The drainage strategy has been undertaken in accordance with the following requirements of the Environment Agency to ensure surface water flood risk is not increased by the development:
- Peak discharge should be contained for a 1 in 30 year storm.
 - Peak discharge should be limited to the greenfield run-off rate, or the lowest practicable discharge of 5l/s.

Conclusion

- 8.66 In conclusion, the drainage strategy for the Proposed Development has been developed to achieve greenfield discharge rates and will incorporate a SuDS management train in accordance with the SuDS Manual. Taking this into account, in addition to the provision of comprehensive pollution control measures, no significant effects on the SPA as a result of surface water or groundwater change, in terms of both water quality and quantity, is considered likely.

9. AIR QUALITY

Introduction

- 9.1 This section considers the potential negative effects of potential traffic-related air quality impacts on the Thames Basin Heaths SPA associated with the Proposed Development.
- 9.2 Potential impacts upon the qualifying features and habitats of the Ockham and Wisley Commons SSSI are discussed in this section only insofar as those effects may directly or indirectly then impact upon the qualifying features of the Thames Basin Heaths SPA, and therefore fall to be considered under Regulation 61 *et seq* of the Habitats Regulations. Potential impacts on the SSSI features that do not have any bearing on the integrity of the SPA are covered separately, in a separate submission.
- 9.3 Further to the above, to avoid unnecessary duplication, this section only considers those specific air-quality related potential impacts on the SPA that have not already been screened out as unlikely to be significant as part of work that was undertaken to inform the ES. This assessment should therefore be read in conjunction with the information already presented in:
- ES Chapter 6 – Air Quality; and
 - ES Chapter 8 - Ecology.
- 9.4 In relation to potential impacts upon the SPA from dust generation during the construction phase of the proposed development, Chapter 6 of the ES (Air Quality), concluded that, subject to the mitigation measures outlined in Section 6.5, potential impacts would be negligible (i.e. not likely to be significant either alone or in combination with other plans and projects). For completeness, information regarding the number of HGV movements both within the site and offsite during construction is provided in **Appendix 6**. The measures outlined in Section 6.5 of ES Chapter 6, which detail best practice measures in the control of dust emission, will be incorporated into a detailed Construction Environmental Management Plan (CEMP) to be delivered at the detailed design stage, and which can be subject to planning condition. Impacts from dust generation are not therefore considered further in this HRA report.

Assessment Context

Relevant Supplementary Legislation, Policy and Guidance

- 9.5 Legislation, policy and guidance pertaining to the HRA process and to the assessment of air quality impacts upon habitats are set out more fully in **Section 1** and ES Chapters 6 and 8 respectively. Notwithstanding the above, the documents below are of particular relevance to this assessment, and so have been briefly summarised.

European CAFE Directive (2008/50/EC) and Air Quality Standards Regulations 2010

- 9.6 The Directive details air quality limit values, target values, and critical levels for a number of air pollutants established by the European Parliament and Council for the protection of human health, vegetation and ecosystems. These have been transposed into UK legislation by the 2010 Regulations. Of particular relevance for the current assessment is the pollutant oxides of nitrogen (NO_x) which has a Critical Level of 30µg/m³ (measured as an annual mean) and which is discussed further below.

United Nations Economic Commission for Europe Critical Loads

- 9.7 The United Nations Economic Commission for Europe (UNECE) has set Critical Loads for N-Deposition for specific sensitive ecosystems (UNECE, 2003). Critical Loads are defined by the UNECE as 'a quantitative estimate of an exposure to one or more pollutants below which significant harmful effects on specified sensitive elements of the environment do not occur according to present knowledge¹.'

The Environment Agency's Horizontal Guidance Note H1 Annex F (Issue 2.2, December 2011)

- 9.8 This guidance provides critical levels for the protection of vegetation and ecosystems, including those relevant to SPAs. Further, the document also advises that 'insignificant' Process Contributions (PCs) (contributions that a proposal will make towards air pollution) should be screened out from further consideration.
- 9.9 Insofar as it is relevant to the proposals and to HRA, this guidance advises that PCs can be considered 'insignificant' if the long-term PC is <1% of the long term environmental standard (the Critical Load or Level for the sensitive habitats concerned). This is on the basis that the Environment Agency advises that it is unlikely that an emission at this level will make a significant contribution to air quality, since PCs will be small in comparison to background levels, even if a standard is exceeded, and that the 1% threshold is two order of magnitude below the applicable environmental standard, and provides a substantial safety margin.
- 9.10 The above-described process of screening out insignificant PCs associated with the proposal has already taken place, and is summarised in Chapters 6 and 8 of the ES. This HRA report therefore concentrates on examining further those PCs to air pollution generated by traffic associated with the proposals, which could not previously be screened out as being 'insignificant' on the above basis. The EA Guidance Note suggests that detailed air modelling may be required in such circumstances, and this exercise has been carried out to inform the HRA.

The Thames Basin Heaths SPA

- 9.11 As explained in **Section 3**, The Thames Basin Heaths SPA is designated for the presence of three species of bird listed on Annex 1 of the Birds Directive that nest either on or close to the ground. Direct effects on the birds themselves from air pollution are highly unlikely.

¹ <http://www.unece.org/env/lrtap/WorkingGroups/wge/definitions.htm>

but indirect effects are possible if air pollution effects habitats to such an extent that their ability to continue to support Annex 1 birds becomes compromised.

9.12 As set out in ES Chapter 8, the following habitats present on the SPA are important for supporting populations of Annex 1 birds:

- Coniferous Woodland; and
- Dry Heath

9.13 The screening exercise detailed in ES Chapters 6 and 8 has already shown that all potential air quality impacts upon the Thames Basin Heaths SPA during the construction phase can be screened out as being unlikely to be significant. This is not therefore considered further in this HRA Report.

9.14 To assess whether air quality impacts on the SPA were likely as a result of traffic generated during the operational phase, the Predicted Environmental Concentration (PEC) of pollutants on the SPA was modelled in 2031, assuming that the required mitigation to reduce and control traffic had been implemented. This modelling scenario was referred to as "Scenario C".

9.15 Instances where potential impacts on the abovementioned habitats during the operational phase (Scenario C) could not be screened out as part of the ES work, and are to be considered further as part of the HRA, therefore, are:

- Five occasions where the PEC for predicted Nitrogen deposition on coniferous woodland exceeded the Upper Critical Load, and where the PC also exceeded 1% of the Lower Critical Load (but never the Upper Critical Load); and
- Several occasions where the predicted NO_x concentrations exceed the Critical Level, and where the PC also exceeds 1% of the Critical Level.

9.16 The relevant Critical Loads and Levels for different habitat types and pollutants considered within this HRA Report have been taken from the Air Pollution Information System (APIS) website, and from the Environment Agency's Horizontal Guidance Note H1 – Annex (f), and are set out below in **Table 15**.

9.17 The Air Quality modelling that was undertaken to inform the ES modelled pollutant concentrations and depositions along discrete modelled transects, so further modelling has been undertaken to inform this HRA report, to identify the actual areas that are likely to be affected by the predicted exceedances, so that potential effects on the habitats within these areas can be considered further.

Table 15: Relevant Critical Loads and Levels Considered in this HRA Report.

Broad Habitat	Critical Load Range for Nitrogen Deposition (kg N/ha/yr)	NOx Critical Level ($\mu\text{g}/\text{m}^3$)
Coniferous Woodland	5-15	30
Dry Heath	10-20 (N/A however – Air Quality Modelling undertaken for the ES has confirmed that there are no predicted exceedances to which the project PC contributes more than 1% of the Lower Critical Load)	

- 9.18 Table 16 below sets out information taken from APIS, that describes the potential sensitivity of Annex 1 bird habitats to the air pollutants addressed in the HRA report.

Table 16: Potential Sensitivity of Annex 1 Bird Habitats to Pollutants.

Annex 1 Species	Habitat	Sensitivity to NOx	Sensitivity to Nitrogen Deposition
Woodlark	Coniferous Woodland	Information on APIS states that this species can be vulnerable to impacts as a result of effects of NOx on this habitat type	Information from APIS states that Woodlark can be sensitive to Nitrogen impacts on this broad habitat type, as it may breed in certain plantation stages. Nitrogen deposition on coniferous woodland habitats can cause changes in soil processes, nutrient imbalance, altered composition of mycorrhiza and ground vegetation
	Dwarf Shrub Heath	Information on APIS states that this species can be vulnerable to impacts as a result of effects of NOx on this habitat type	N/A – PC to exceedance does not exceed 1% of CL

Annex 1 Species	Habitat	Sensitivity to NOx	Sensitivity to Nitrogen Deposition
Nightjar	Coniferous Woodland	Information on APIS states that this species is <u>not</u> vulnerable to impacts as a result of effects of NOx on this habitat type.	Information from APIS states that Nightjar is <u>not</u> sensitive to Nitrogen impacts as a result of the effects of nutrient nitrogen deposition on this broad habitat type
	Dwarf Shrub Heath	Information on APIS states that this species can be vulnerable to impacts as a result of effects of NOx on this habitat type	N/A – PC to exceedance does not exceed 1% of CL
Dartford Warbler	Coniferous Woodland	This species is usually resident in dwarf shrub heath habitats - APIS consequently considers that Dartford Warbler are only potentially vulnerable to air quality impacts upon Dry Heath (not coniferous woodland)	
	Dwarf Shrub Heath	Information on APIS states that this species can be vulnerable to impacts as a result of effects of NOx on this habitat type	N/A – PC to exceedance does not exceed 1% of CL

9.19 In view of the above information in **Table 16** taken from APIS, this HRA report focusses on potential air quality impacts upon Coniferous Woodland habitats from Nitrogen Deposition and NOx concentrations, and in particular upon the potential for Woodlark to be affected, as the other two Annex 1 bird species are not considered by APIS to be vulnerable to the specific potential effects that have been identified (NOx concentrations and N deposition).

Assessment Methodology

9.20 To enhance the resolution of the assessment work that was carried out for the Environmental Assessment, the following additional work was carried out to further inform the assessment of potentially significant effects:

- **More detailed Air Quality modelling**, to predict and map those specific areas in which the PEC for pollutants under Scenario 2 is predicted to be in exceedance, and where the PC from the project is predicted to be over 1% of the applicable Critical Load or Level; and
- **A vegetation survey** of those habitats that are actually present in the areas identified by the above enhanced modelling work

- 9.21 The methodologies used for this additional survey and assessment work is set out below.

Detailed Air Quality Modelling Methodology

- 9.22 The same advanced air quality dispersion model (ADMS Roads) model set-ups undertaken for the air quality assessment presented in the ES chapter were used as the basis for providing a higher resolution of information for the HRA. The model set-ups for Scenarios A, B and C, were amended to produce gridded model outputs (as opposed to predicting pollutant levels at discrete receptor locations) across an area of 3.0km x 2.1km, which encompassed the designated ecological sites. The gridded output was produced using the highest number of points (100 receptors in the X and Y planes) available in ADMS Roads). This enabled detailed contour plots for the pollutants to be produced, which in turn provided a graphical means of demonstrating the likely spatial variation of pollutant levels across the sites. The data processing undertaken to derive the plots and figures was consistent with that undertaken for the assessment for the ES chapter.

Vegetation Survey and Assessment Methodology

- 9.23 In order to examine potential ecological impacts, the areas identified by the above-described enhanced air quality modelling were projected over a recent aerial photograph of Ockham and Wisley Commons and the vegetation shown within those areas was surveyed and mapped. The fieldwork was carried out by Andrew Cross of EPR on 15, 20 and 21 January 2015. The vegetation present was recorded with reference to the National Vegetation Classification system (NVC; Rodwell et al., 1991-2000).
- 9.24 Vegetation types were drawn as polygons on a good quality aerial photograph, and the predominant vegetation type in each polygon was used to label the polygon; though the nature of vegetation on heathlands is that it often occurs in mosaics (i.e. one or more types intermingled).
- 9.25 These NVC types were used to produce a vegetation map. A Landscape Habitats dataset/layer was then produced by grouping related NVC types, for example dry woodlands and scrub, under broader categories in order to display the main habitats in the modelled AQ areas.
- 9.26 Vegetation that might provide habitat or supporting habitat for Annex 1 birds or SSSI qualifying features were noted, and signs of habitat condition or of potential relevance to air quality such as indications of eutrophic conditions or any extant management regimes were recorded.

Constraints

- 9.27 It should be noted that the vegetation survey work described above was undertaken in a sub-optimal season, at a time of year when many plant species would not have been visible

or would have been difficult to detect. However, in this case the purpose of the survey work was to identify and map broad habitat types so that the effects of air pollution on these habitat types could be assessed with reference to published research, not to compile a comprehensive list of species. It is considered that sufficient information was gathered for this purpose.

Assessment of Likely Significant Effects

Nitrogen Deposition on Coniferous Woodland

- 9.28 The main impact of concern for habitats that results from elevated ambient levels of Nitrogen compounds (NO_x) is the eutrophication (enrichment) of habitats through Nitrogen deposition.
- 9.29 Screening work undertaken to inform the ES has already concluded that the PC to Nitrogen Deposition on Dry Heathland in Scenarios C is never predicted to be more than 1% of the lower end of the Critical Load range, and therefore are unlikely to be significantly affected. The assessment has therefore focused on Nitrogen deposition on coniferous woodland.
- 9.30 The modelling undertaken for the ES showed that the predicted PC from the proposals to N deposition on Coniferous Woodland never exceeded 2% of the lower end of the Critical Load Range, and is therefore only marginally above the threshold at which they would be screened out in any case.
- 9.31 To investigate this further, the areas in which the project contributes >1% of the lower end of the Critical Load range to an exceedance were mapped over the Landscape Habitat Map produced from field survey. This exercise has shown that these areas are largely confined to within a few metres of the road verge, and they are shown on **Map 16**.
- 9.32 The habitats recorded within the mapped exceedance areas on **Map 16** contain almost nothing that would provide suitable habitat for the abovementioned Annex 1 birds when taken in context (including Woodlark). The broad vegetation types identified within the subject areas are:
- Bracken;
 - Dry Woodland and Scrub (variously comprised of: Road/bank verge scrub, Bracken / Bramble Scrub, Bracken, Bramble and Gorse Scrub, Bracken Woodland, Bramble Woodland);
 - A small area of wet woodland (Alder Wood and Willow Scrub); and
 - Wetland (comprised of Oligotrophic water and Reed bed).
- 9.33 The only habitat category from the above which is comparable with the category 'coniferous woodland' is 'dry woodland and scrub'. However, whilst these areas did include Scot's Pine, all were mixed and no significant areas (polygons) were predominantly coniferous.

- 9.34 Further to the above, it was noted during the survey that these woodland areas adjacent to the M25 and A3 were located on apparently nutrient-rich soil, meaning that most areas had a prolific cover of either Bracken or Bramble, with more open areas being covered in scrub predominantly comprised of the same species, or of Gorse. As these habitats are not therefore dependent upon nutrient poor conditions prevailing, it is very unlikely that there would be any material change in their composition resulting from the anticipated increase in Nitrogen deposition.
- 9.35 Further to the above, a review of related scientific literature undertaken on behalf of English Nature in 2004 (Now Natural England), concluded that there is some evidence to suggest that wooded shelterbelts act as a physical barrier to Nitrogen transport from sources of diffuse pollution. The woodland areas shown within the potentially affected areas on **Map 16** are probably functioning in this way, preventing Nitrogen compounds from travelling significant distances into the SPA, meaning that the modelled PC contribution towards the exceedance may be exaggerated.
- 9.36 Notwithstanding the above, the locations of known Annex 1 bird territories (including Woodlark) are shown on **Map 16** in relation to the exceedance areas. It can clearly be seen that these territories are located some considerable distance further into the SPA than the areas to which the project is contributing towards an exceedance. This is probably in part a result of the habitats closer to the road not being suitable for them, and partly due to existing levels of road noise and disturbance from the A3 and M25, meaning that Annex 1 birds are also unlikely to use these areas in the future. Given this, air quality effects in the mapped areas will have no relevance to habitats used (or likely to be used) by Annex 1 birds.
- 9.37 In view of the above, it is concluded that potential impacts from Nitrogen deposition can be Screened out as being unlikely to contribute towards a significant effect on the SPA, as a result of a combination of the following:
- The area in which the PC from the proposals is predicted to contribute more than 1% of the Critical Level is very small, restricted to within just a few metres of the road verges along the A3 and M25;
 - In reality, the existing areas of woodland are likely to be exerting some degree of 'shelterbelt' effect, meaning the areas in which the air quality modelling predicts the PC to exceed 1% of the Critical Level are likely to be exaggerated;
 - Within the mapped exceedance areas, habitats (including woodlands) are neither predominantly coniferous, nor are they suitable for Annex 1 bird species (including Woodlark);
 - Woodland areas in the mapped locations appear to support a nutrient rich soil, meaning that they are unlikely to be Nitrogen limited and therefore susceptible to change driven by the limited additional modelled PC to Nitrogen deposition; and
 - Records of known territories are all located some considerable distance further into the SPA.

NOx Concentrations

- 9.38 The principal impact upon ecosystems that can be caused by elevated airborne concentrations of NO_x is the deposition of these Nitrogen compounds, leading to eutrophication of habitats and impacts upon N-limited habitats. However, for the reasons set out above this potential impact has already been screened out as unlikely to be significant.
- 9.39 This means that the potential impacts remaining to be considered are the direct phytotoxic effects of Nitrogen compounds on plant species through foliar uptake.
- 9.40 The Critical Level set for ambient NO_x for the protection of vegetation and ecosystems is 30µg/m³, taken from the European CAFE Directive and the resultant Air Quality Standards Regulations (2010) mentioned above.
- 9.41 This Critical Level originates from Air Quality Guidelines for Europe compiled by the World Health Organisation (WHO, 2000), and is based upon a review of literature relating to observed effects of Nitrogen pollutants on plants (mainly but not exclusively crop species) in a range of experiments conducted mainly *in vitro*, and often carried out to levels of significantly greater pollution than the Critical Level. Many of the observed physiological effects on plants in these experiments, are difficult to interpret in terms of their effects on habitats, and vary between species; ranging from interference with the operation of stomata, to changes in drought and stress tolerance of some species. The chosen Critical Level was thus set at a level that means that a majority of plant species are protected.
- 9.42 As NO_x Critical Levels are already in exceedance across numerous modelled locations even without development (referred to as modelling Scenario A in the ES- without development; **Map 17**). To assist in the assessment for the HRA Report therefore, the areas in which the PC from the proposals is predicted to contribute to an area of exceedance by at least 1% of the Critical Level in Scenario C were mapped, and superimposed as red-coloured hatching upon the botanical survey data.
- 9.43 **Map 18** shows these areas superimposed upon the Broad/Landscape habitat types, **Map 19** shows these broad habitats subdivided into types of 'dry' habitat, and **Map 20** shows these broad habitats subdivided into types of 'wet' habitat.
- 9.44 The Air Quality modelling carried out for the ES showed that the PC contributed a maximum of 9.8% of the Critical Level at locations closest to the roadside, with levels declining to less than 1% at the extent of the mapped areas shown on **Maps 18 to 20** (refer to Appendix 6.10 of the ES for the raw data).
- 9.45 It is worth noting that, as a result of the proposed highways mitigation measures, in addition to the abovementioned areas of exceedance to which the proposals will contribute, there is a significant area of the SPA that will experience improvements in Air Quality by at least 1% of the Critical Load, as a result of reductions in traffic movements along Old Lane (**Map 18 to 20**).

- 9.46 It is important to note that whilst these NO_x improvement areas are not in their entirety predicted to be in exceedance in the 2031 future baseline (Scenario A; further clarification regarding improvement areas is provided in **Table 17**), they are nonetheless currently experiencing levels of NO_x at just below the Critical Level (EcoR_15, Figure 6.3 of ES TA 6.11 = 18.4 µg/m³ 2031 baseline (Scenario A)), and following the implementation of traffic mitigation measures this will drop by 2.2 µg/m³ representing a 7.3% reduction in the context of the Critical Level (and notably more than a 1% improvement in relation to the Critical Level). The Critical Level for NO_x (30µg/m³) is set as the same for all vegetation as a Europe-wide objective and is not adjusted for different habitats. Dose-response relationships between pollutants and vegetation have been shown in research to often see greater changes at lower level increases than higher ones. This means that the potential benefits of a significant decrease in NO_x right through the core area of the SPA should not therefore be discounted, despite the fact that these areas are presently below the applicable Critical Level.
- 9.47 The areas of the various habitats that are predicted to experience a decline or improvement in air quality of at least 1% of the Critical Level are summarised in **Table 17** below:

Table 17: Habitats Predicted to Experience a Decline or Improvement in Air Quality (as a result of NO_x Concentration) of at Least 1% of the Critical Level.

Landscape/Broad Habitat	Area of Landscape / Broad Habitat (ha)		
	Decline in AQ	Improvement in AQ (Extent of Areas in Exceedance of the CL under Scenario A)	Improvement in AQ (Total Extent)
<i>Dry Habitats</i>			
Dry Woodland and Scrub*	14.90	0.3	5.14
Bracken	1.70		
Heaths*	0.56		
Acid Grassland	0.15		
M25/A3 Verge Habitat	2.94		
<i>Wet Habitats</i>			
Wet Woodland	0.28		0.37
Wetland	1.07		0.54
<i>Other</i>			
Car Park			0.20

Tracks (Grassy/Sandy)	0.12		
Spoil Heap	0.08		
Tracks (Concrete / Surfaced)	0.22		

*Habitat categories in which Annex 1 bird habitats would be included are **emboldened**.

- 9.48 As can be seen from **Table 17** above, the majority of habitats that fall within the predicted area of air quality decline are not of a type that could provide habitats for Annex 1 birds.
- 9.49 Those habitat categories which could potentially include habitats for Annex 1 birds (Dry Heaths and Coniferous Woodland) are shown emboldened in **Table 17**.
- 9.50 Of these, as already mentioned above, the Dry Woodland category is comprised of a variety of habitat subcategories, but predominantly include non-native coniferous woodland and broadleaved woodland, all of which have a closed canopy and are over dense tall Bracken that is locally invaded by Bramble. Overall, taking into account the areas of decline and improvement, there is a net area of about 9.76ha of Dry Woodland predicted to experience a decline in air quality due to NO_x concentrations (NB: Whilst this area is predicted to experience elevated NO_x concentrations in the modelled year of 2031, this does not necessarily equate to a perceptible effect on vegetation).
- 9.51 In addition to the above, whilst modelled areas where the PC is anticipated to be in excess of 1% of the Critical Load for NO_x concentration extend further into the SPA than they do for N deposition (explained above) these areas are still a considerable distance away from any known recorded Annex 1 bird territories (shown on **Maps 18 to 20**).
- 9.52 Further, as with N deposition, research carried out on behalf of English Nature (2004) indicates that trees are likely to exert some 'shelterbelt' effect in blocking the transport of Nitrogen pollution from roads and preventing it from penetrating as far as it otherwise would into sites adjacent to roads. It is likely that the existing woodland along the M25 and A3 is reducing the concentrations of NO_x reaching habitats further into the SPA to some degree, so the modelled PC is likely to be exaggerated.
- 9.53 As with the above discussed in relation to N deposition, the woodland habitats within those areas affected by increases in NO_x concentration from the proposal do not represent particularly suitable habitat for Annex 1 birds that seek access to open ground, and as discussed, these areas are unlikely to be used by Annex 1 birds in the future, in part due to the unsuitability of the habitats themselves, and in part due to the existing level of disturbance and noise from the M25 and A3.
- 9.54 There is one small area of heathland within the modelled area of air quality decline due to NO_x, located along the southern edge of the M25. This area appears to have been created by the clearance of woodland and/or scrub, and the subsequent management of this area to encourage heathland vegetation (most likely a deliberate management action taken by the

Surrey Wildlife Trust). The creation of the heathland has apparently required significant scraping and removal of topsoil, which appears to be an attempt to remove Bracken rhizomes from the soil (which would otherwise smother and displace heathland vegetation).

9.55 The fact that this area of created heathland has developed successfully on a cleared area so close to the M25, despite the existing exceedances of the Critical Level for NO_x shown under modelled scenario 1, is further indication that the habitats in the identified areas of the SPA are unlikely to be affected in any way that might have implications for Annex 1 birds.

9.56 Evidence from nearby Chobham Common (Surrey Wildlife Trust, 2010), which is another component part of the Thames Basin Heaths SPA, shows that NVC H3 type heathland has been successfully restored through appropriate management in areas adjacent to the M3 (which is similarly subject to existing high levels of traffic-related Nitrogen pollution). This indicates both that significant impacts are unlikely, but also that management measures are available that can be used to address and overcome the effects of Nitrogen pollution. This is discussed further below under impact avoidance and mitigation.

9.57 In summary therefore, it is considered unlikely that the proposals predicted PC to NO_x exceedances will have a likely significant effect on the Annex 1 Birds of the SPA or their habitats, either alone or in combination with other plans and projects, for the following reasons:

- Only a limited area of broad habitats that could support habitats suitable for Annex 1 birds exists within the affected exceedance area, and this area is partially offset by other areas of similar habitat that will experience an air quality improvement as a result of declining NO_x levels due to traffic mitigation;
- Of the area of broad habitat in the affected area that is of a type that might include habitats suitable for Annex 1 birds, none is particularly suitable for them, and the woodland areas are likely to be benefiting to some degree from a 'shelterbell' type effect from those trees located nearest the A3 and M25; and
- Evidence from nearby Chobham Common (Surrey Wildlife Trust, 2010), which is another component part of the Thames Basin Heaths SPA, shows that NVC H3 type heathland has been successfully restored through appropriate management in areas adjacent to the M3 (which is similarly subject to existing high levels of traffic-related Nitrogen pollution), and Natural England has indicated that this habitat is being used by Dartford Warbler (personal comment, Graham Steven, NE SSSI Officer), indicating that should broad habitats within the areas of exceedance ever be restored to habitat that is suitable for supporting Annex 1 birds, that air quality exceedances would be unlikely to preclude use of that habitat by Annex 1 birds.

Impact Avoidance and Mitigation

9.58 As no likely significant effects on the Thames Basin Heaths SPA are predicted as a result of proposals PC to Nitrogen deposition, or NO_x concentrations, acting either alone or in

combination with other plans and projects, no impact avoidance or mitigation measures are required.

- 9.59 Notwithstanding the above, measures have been recommended in the separate submission addressing potential effects on SSSI habitats to ensure that these are not negatively affected by air quality effects associated with the proposals.
- 9.60 These measures are unlikely to deliver any benefit for the Annex 1 birds of the SPA, as the evidence shows that they are presently precluded from occupying habitats close to both the A3 and M25. However, they are likely to be able to deliver benefits for the SPA/SSSI habitat complex as a whole, and increase the area of habitat that would be suitable for Annex 1 birds if the M25/A3 were not precluding them. This means that if conditions ever change in the future (e.g. due to major technological improvements to vehicles), these habitats might then become available for Annex 1 birds.
- 9.61 Furthermore, the suggested measures may be able to deliver a net benefit to the overall integrity of the SPA/SSSI and its habitat complex which, whilst not required under the Habitats Regulations, would nonetheless strongly support the aspirations of the National Planning Policy Framework (NPPF) for planning proposals to deliver net gains for biodiversity.
- 9.62 In summary, the following recommended measures (set out in full in the separate submission on SSSI habitats) are:
- Monitoring of vegetation in the affected exceedance areas shown on **Maps 18 to 20** through NVC surveys carried out during the summer months in the years 2031 (i.e. at completion) and 2036 (5 years after completion); this would form an additional part to the onsite monitoring role for the Wisley and Ockham Warden proposed and secured as part of the package of SAMM Plus measures (described in **Section 5**); and
 - A contribution towards ongoing management of the SSSI for the purposes of mitigating any future negative impacts arising from the operation of the development and identified through the monitoring process. Such mitigation might include the management of scrub, trees and bracken or other measures that would contribute towards maintaining or achieving favourable SSSI condition. Appropriate funding will be provided and secured alongside the package of SAMM Plus measures (described in **Section 5**).

Conclusion

- 9.63 In view of the above, it is concluded that the proposal is not likely to have a significant effect on the Thames Basin Heaths SPA when considered alone, nor adversely affect its integrity, as a result of air quality change.
- 9.64 Furthermore, as the Air Quality modelling for Scenario C has taken into account likely levels of traffic and resultant air pollution in 2031, including background pollution from a range of

other emission sources (Please refer to ES chapter 6 – Air Quality), it can be concluded that the proposal is not likely to have a significant effect on the Thames Basin Heaths SPA in combination with other plans and projects, nor to adversely affect its integrity.

- 9.65 Notwithstanding the above, it should be noted that the above conclusions are predicated upon the implementation of the highways improvements (mitigation) that have been factored into the modelled Air Quality Scenario C, upon which this assessment is based. Should these measures therefore be altered or dropped, this assessment should be revisited to consider whether its conclusions still hold.

10. RESIDUAL EFFECTS

Summary

- 10.1 Consideration has been given to potential effects from increased recreational pressure, cat predation, surface water and groundwater change, and increases in noise and air pollution as a result of increased traffic movements along the A3.
- 10.2 Impact avoidance and mitigation measures are proposed where the potential for negative effects have been identified. These comprise the provision of Suitable Alternative Natural Greenspace (SANG) and a package of Strategic Access Management and Monitoring (SAMM) measures to address the potential for effects on the SPA as a result of increased recreational pressure. A comprehensive drainage strategy is also proposed for the Site in addition to pollution control measures, to ensure no effects from hydrological change. In summary, no significant residual effects that would conflict with the conservation objectives for the SPA are predicted to remain following implementation of these measures.
- 10.3 Although not triggered as a requirement by this assessment, since the nature of air quality exceedance predicted during the operational phase is not anticipated to result in negative effects on the Annex 1 birds, vegetation monitoring of SSSI habitats within areas of air quality exceedance is proposed and a contribution towards SSSI habitat management will be made available to address any future negative air quality effects arising from the operation of the development on the SSSI. Proposed measures to address potential air quality effects on SSSI habitats (addressed in a separate submission) are likely to be able to deliver a net benefit to the overall integrity of the SPA/SSSI and its habitat complex which, whilst not required under the Habitats Regulations, would nonetheless strongly support the aspirations of the National Planning Policy Framework (NPPF) for planning proposals to deliver net gains for biodiversity.

Conclusions in Respect of the Habitats Regulations

- 10.4 In view of the conclusion above, and in light of the Waddenzee Judgment (refer to **Section 1**) no significant effects on the Thames Basin Heaths SPA as a result of the Wisley Airfield development are considered to be likely, either alone or in combination with other plans and projects.
- 10.5 Therefore in accordance with the Habitats Directive, the Conservation of Habitats and Species Regulations 2010 (as amended) and the ruling of Sullivan J in the Dilly Lane High Court case, it is concluded that GBC do not need to undertake an Appropriate Assessment.

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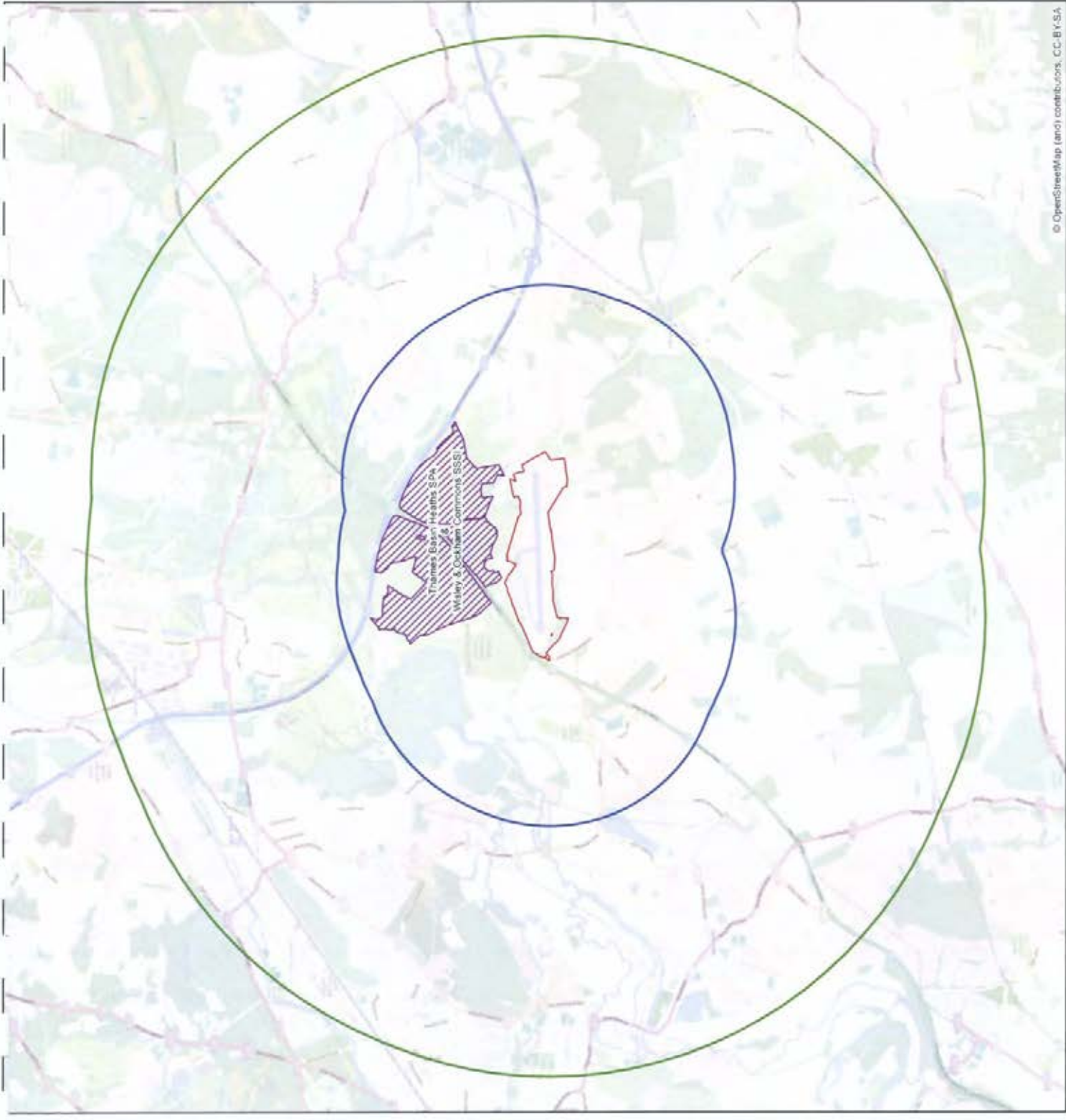
Maps

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MAP 1 Site Location

KEY

-  Site boundary
-  2km linear distance from site boundary
-  5km linear distance from site boundary
-  Special Protection Area (SPA)



SCALE: 1:45,000 at A3
0 500 1,000 1,500 2,000 Metres



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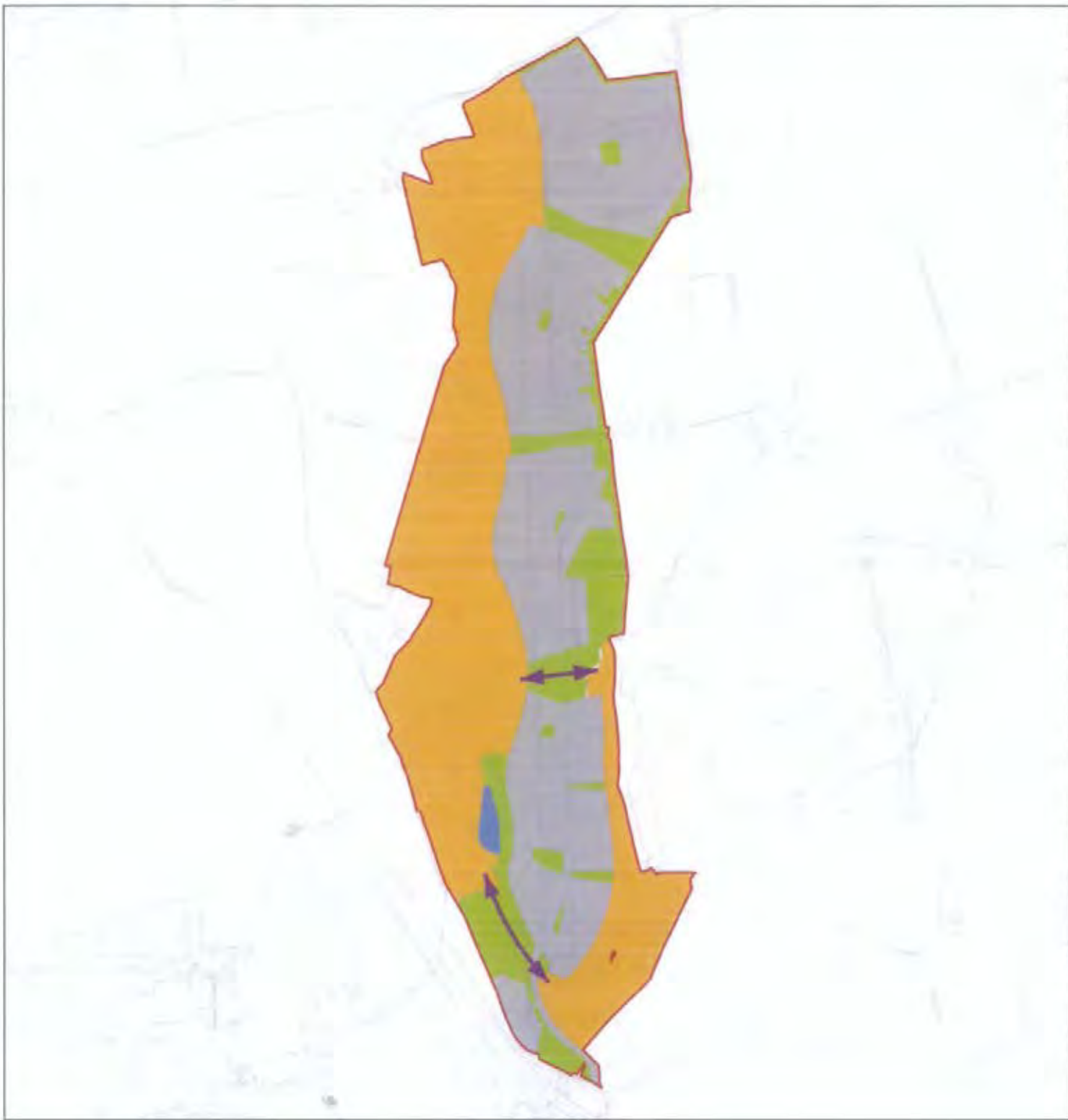
CLIENT: Wisley Property Investments Ltd

PROJECT: Wisley Airfield

DATE: July 2015

MAP 2 Proposed Site Areas

- KEY
- Site boundary
 - Built development
 - SANG
 - Green Infrastructure
 - Gypsy and traveller site
 - SANG Link


















SCALE: 1:9,000 at A3
0 100 200 300 400 Metres



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PROJECT: Wisley Airfield
DATE: July 2015

MAP 4 Visitor Survey Results, 2014

- KEY**
-  Site boundary
 -  Special Protection Area (SPA)
 -  Access point 1 - Wisley Airfield
 -  Access point 2 - Wisley Airfield
 -  Access point 3 - Wisley Airfield
 -  Access point 4 - Wisley Airfield
 -  Access point 5 - Pland car park
 -  Access point 6 - Boldermere car park
 -  Visitor to access point 1
 -  Visitor to access point 2
 -  Visitor to access point 3
 -  Visitor to access point 4
 -  Visitor to access point 5
 -  Visitor to access point 6
 -  Visitors to access point 5 that are likely to be captured by Wisley SANG

N.B. locations of visitor origins based on postcodes provided during Ecology Solutions visitor survey - as referenced using Royal Mail postcode-dataset



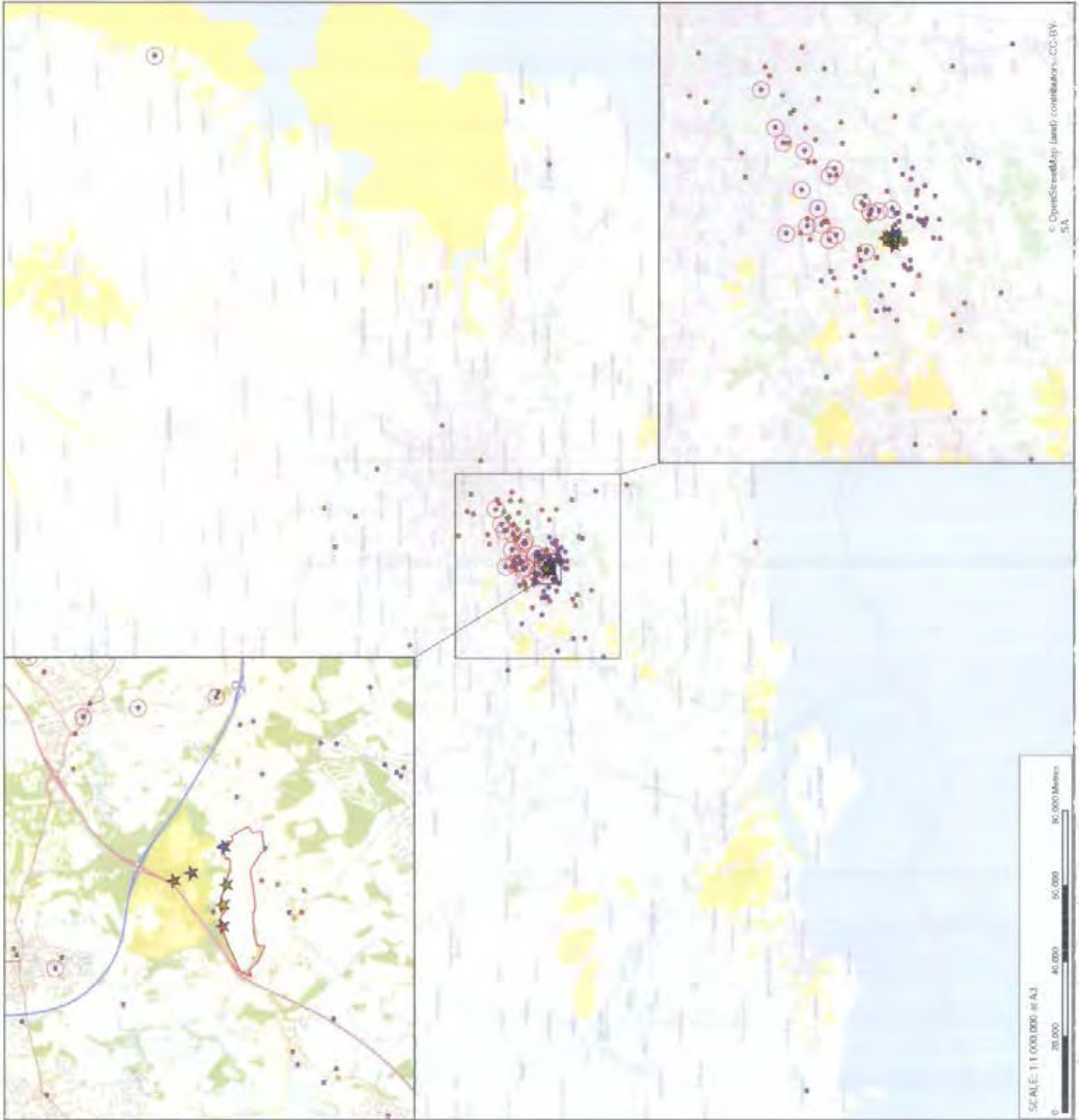
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PROJECT: Wisley Airfield

DATE: July 2015

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MAP 5 Visitor Survey Results, 2015

KEY



Site boundary



Special Protection Area (SPA)



AP1 - Boldermere car park



AP2 - Pond car park



AP3 - Hatchford End



AP4 - Hatchford Wood



Visitor to AP1



Visitor to AP2



Visitor to AP3



Visitor to AP4

N.B. locations of visitor origins based on postcodes provided during visitor survey - as referenced using Royal Mail postcode dataset



TOP FRAME SCALE: 1:100,000 at A3



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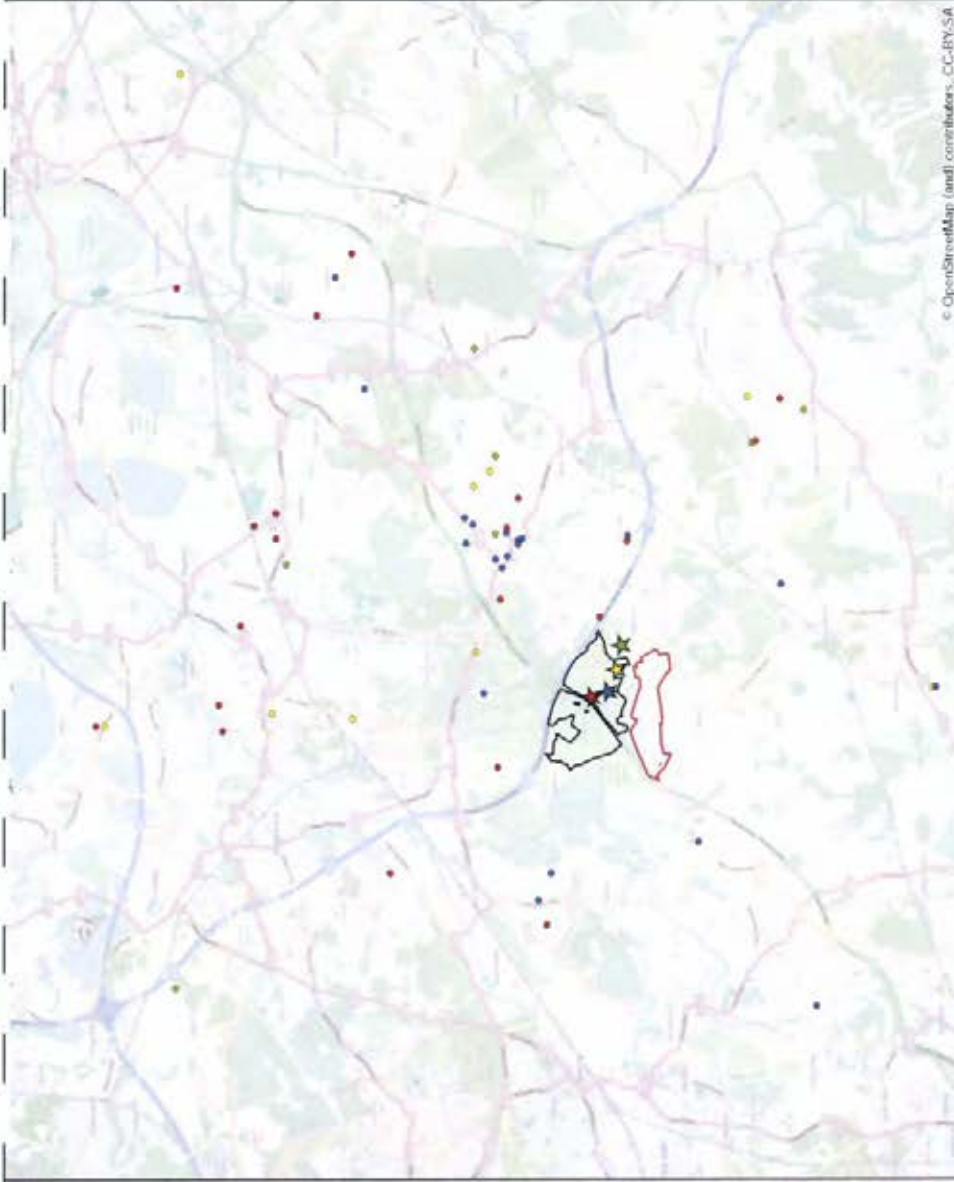
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PROJECT: Wisley Airfield

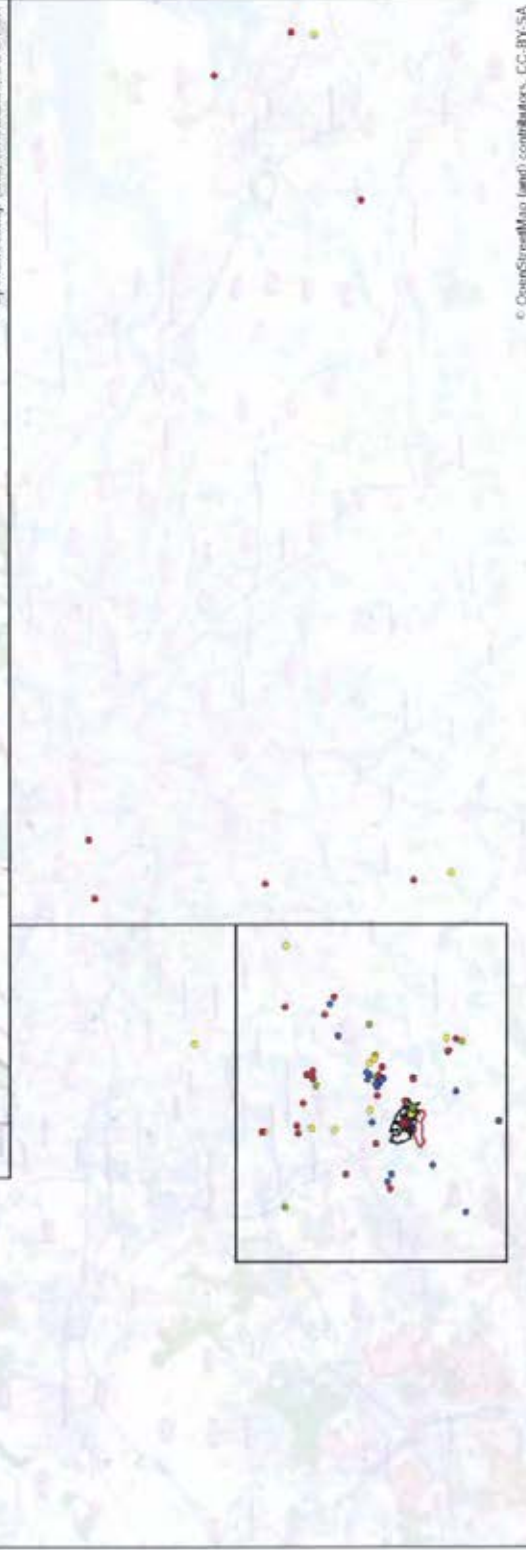
DATE: July 2015

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MAP 6 Visitor Routes and Recreational Pressure

KEY

- Routes walked
- Density of recreational pressure (mm2)
 - Low
 - Medium-Low
 - Medium
 - High
 - Very high
- ★ Access point 1
- ★ Access point 2
- ★ Access point 3
- ★ Access point 4



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 DATE: July 2015

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MAP 7 Consented SANGs

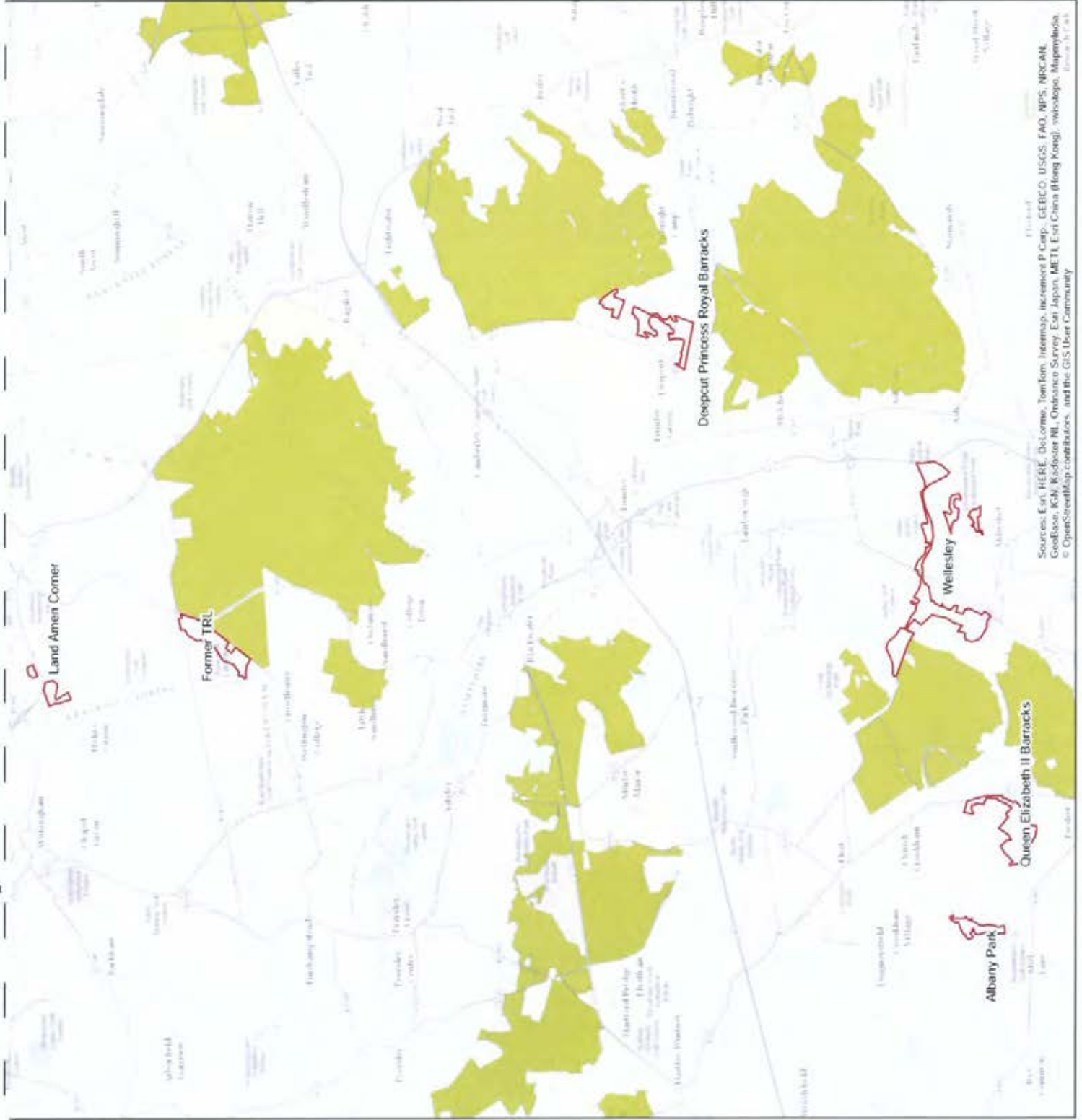
KEY



Consented SANGs



Special Protection Area (SPA)



SCALE: 1:70,000 at A3



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CLIENT: Wisley Property Investments Ltd

PROJECT: Wisley Airfield

















DATE: July 2015

Outdoor Survey Ltd. Company registration number: 100066598

Sources: Esri, HERE, DeLorme, TomTom, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBC, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), Swisstopo, Mapbox, © OpenStreetMap contributors, and the GIS User Community

MAP 8 SANG Layout - Existing & Proposed Habitats

KEY

-  Site boundary
-  Existing habitats to be enhanced
-  Wet woodland
-  Woodland
-  Grassland
-  Proposed habitats
-  Proposed woodland
-  Trees and scrub
-  Dry meadow grassland with scrub
-  Short mown grassland
-  Orchard
-  Tump
-  Pond
-  Car park
-  New hedgerow
-  Swale

SCALE 1:9,000 at A2



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DATE: November 2015



MAP 9 SANG Layout - Proposed Infrastructure

KEY

-  Site boundary
-  SANG boundary
-  Wooded habitats
-  Open grassland habitats
-  Pond
-  Car park
-  Road link from A3 to car park
-  2.9km Northern SANG circular walk
-  3.9km Northern SANG circular walk
-  1.8km Southern SANG circular walk
-  Other footpath links (3.6km)
-  Boardwalk
-  Fence
-  Hedgerow
-  Swale
-  Visitor centre
-  Kissing gate
-  Field gate
-  Footbridge
-  Information board
-  Bench
-  Picnic bench
-  Bin

SCALE 1:9,000 at A3

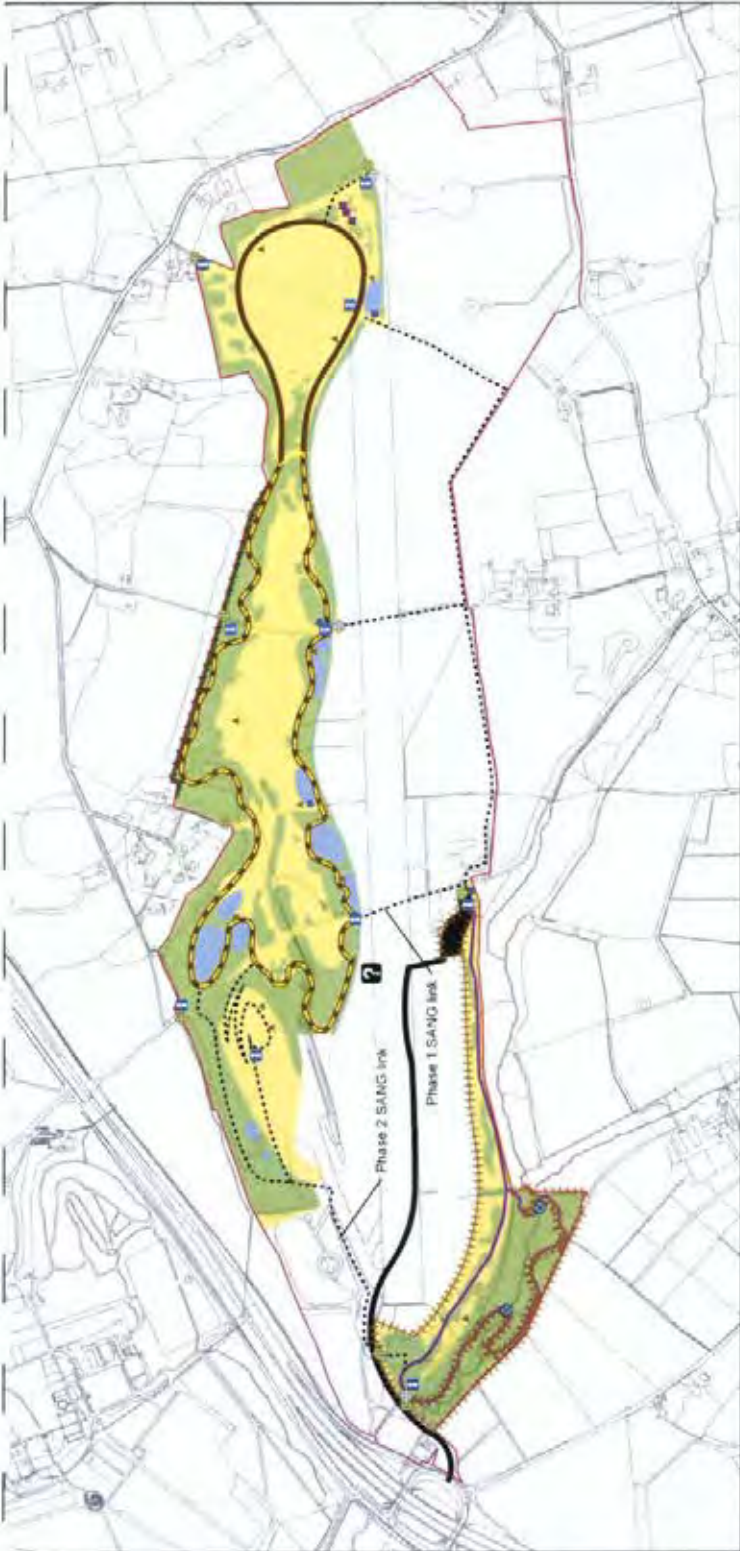


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PROJECT: Wisley Airfield

DATE: November 2015



MAP 10 SANG Visitor Catchments

- KEY
-  Site boundary
 -  Special Protection Area (SPA)
 -  SANG
 -  400m linear distance from SANG boundary (indicative walking catchment)
 -  5km linear distance from SANG boundary (visitor driving catchment for SANG in excess of 20ha)
 -  Postcode origin of visitor to SPA (from Ecology Solutions visitor survey data)
 -  Residential postcode delivery point (from Royal Mail postcode dataset)



SCALE: 1:45,000 at A3
 0 500 1,000 1,500 2,000 Metres



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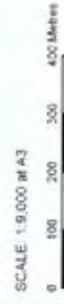
PROJECT: Wisley Airfield

DATE: July 2015

MAP 11 SANG Phasing

KEY

-  Site boundary
-  Phase 1 (38.7ha)
-  Phase 2 (2.1ha)
-  Phase 3 (8.4ha)
-  Phase 4 (0.7ha)
-  2.9km Northern SANG circular walk
-  3.9km Northern SANG circular walk
-  1.8km Southern SANG circular walk
-  Other footpath links (3.8km)
-  Road link from A3 to car park
-  Temporary construction access road

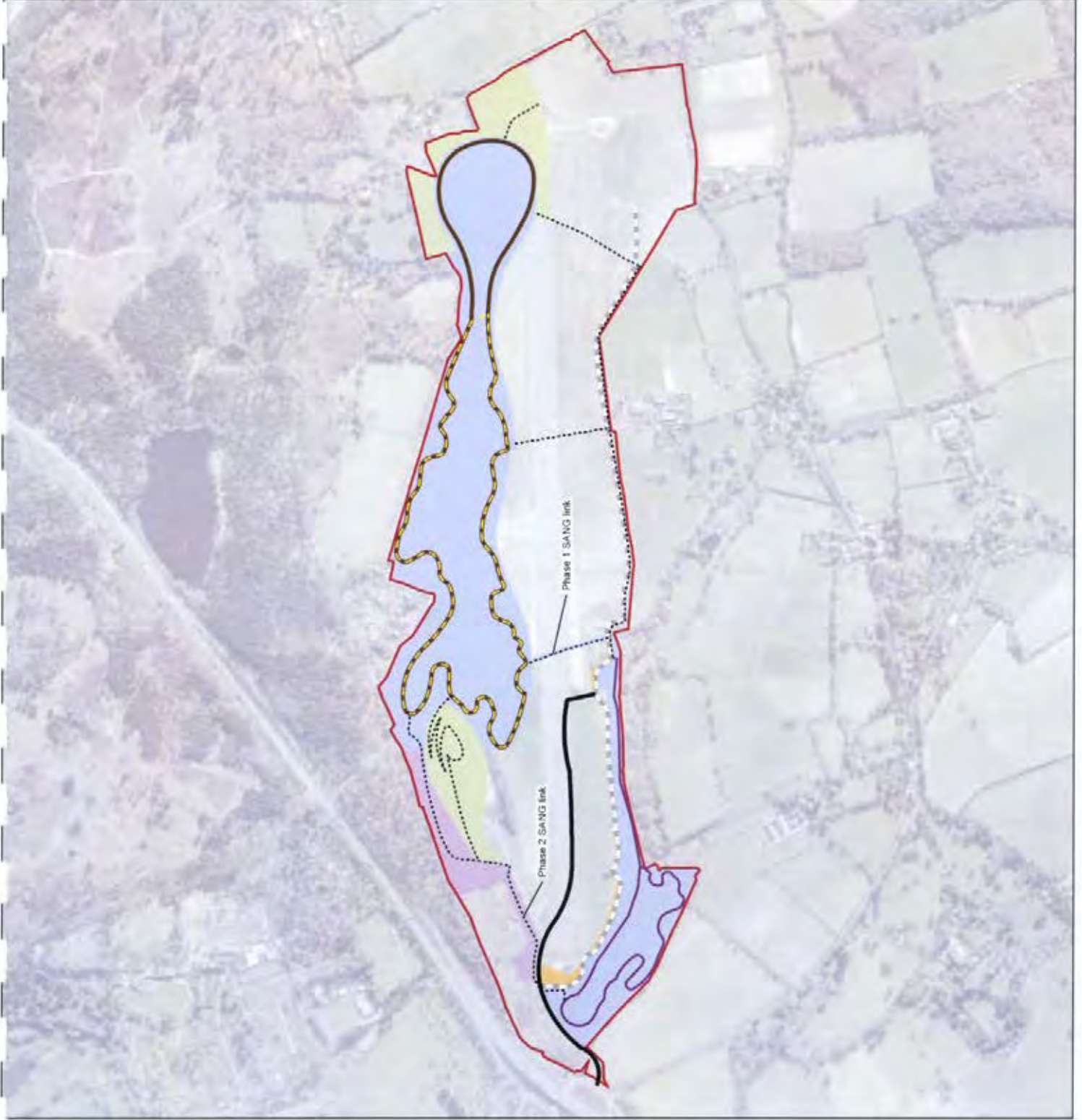


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DATE: November 2015



MAP 12 Offsite PROW Improvements to be Delivered as Part of SPA Impact Avoidance Strategy

KEY

-  Site boundary
-  Special Protection Area (SPA)
-  SANG boundary
-  2.9km Northern SANG circular walk
-  3.9km Northern SANG circular walk
-  Southern SANG circular walk (1.8km)
-  Boardwalk
-  Other footpath links (3.8km)
-  Offsite circular recreational route (4.2km)
-  Road link from A3 to car park
-  Information boards
-  Parking
-  Cafe
-  Wildlife
-  WIFI
-  Bicycle hire
-  Woodland tump

SCALE 1:10,000 at A3



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MAP 13 Assessment of Cat Predation Risk

- KEY
- Site boundary
 - Built development
 - 400m linear distance from proposed housing area
 - Nighthjar 2010-2013 record
 - Woodlark 2010-2013 record
 - Nighthjar 2014 record
 - Woodlark 2014 record

SCALE: 1:12,000 at A3
0 100 200 300 400 Metres



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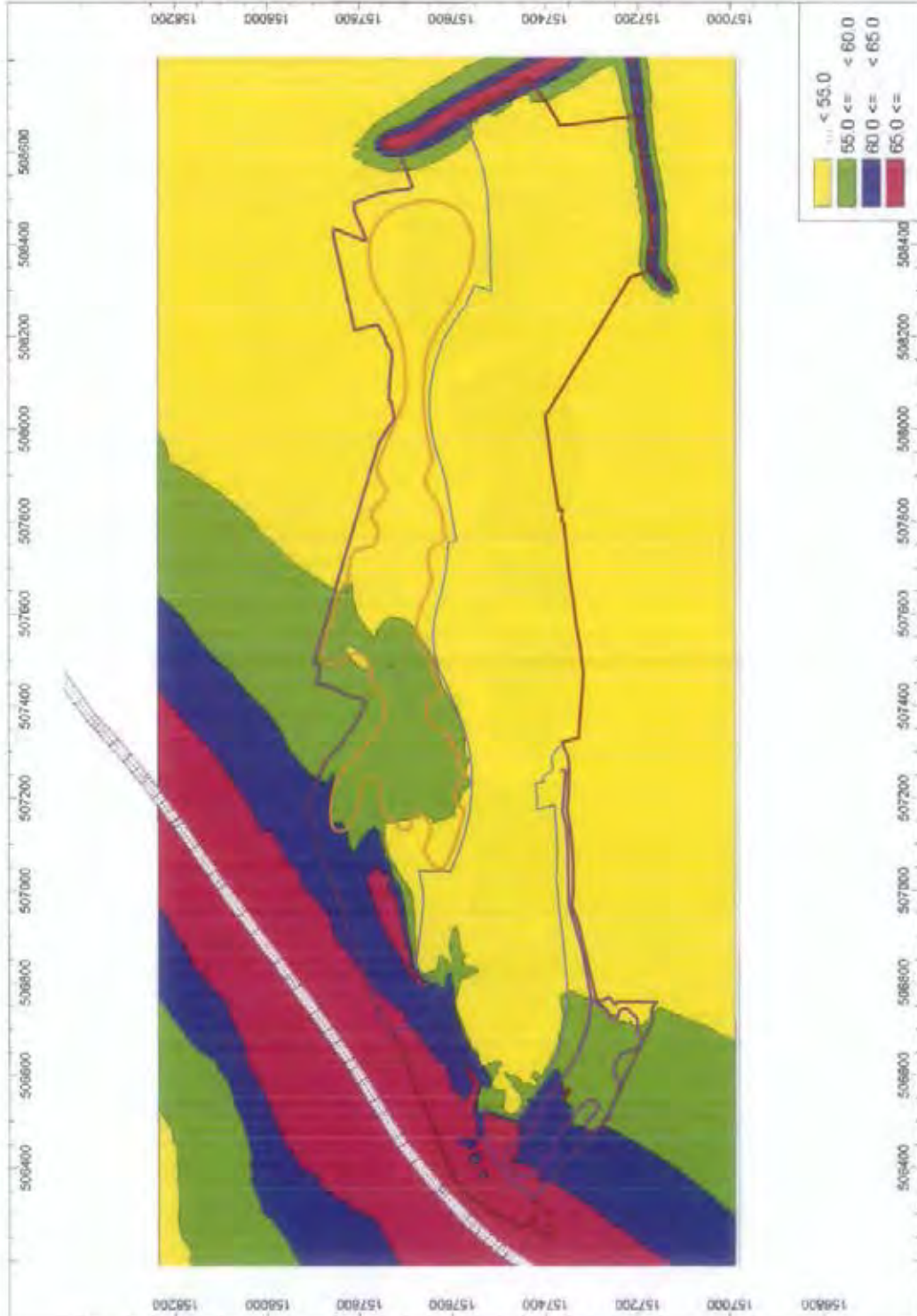


MAP 14 Operational Noise Contours with regard to proposed SANG

KEY

-  Site boundary
-  SANG boundary
-  Phase 1 Northern SANG circular walk (3.9km)
-  Phase 1 Southern SANG circular walk (1.8km)

Daytime Noise Contours at 1.5m above Ground (dB LAeq,16hour)



SCALE: 1:10,000 at A3



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MAP 15 Drainage Catchments

KEY

- Site boundary
- Waterways - taken from OS Mastermap
- +21m AOD
- +49m AOD



SCALE: 1:9,000 at A3
0 100 200 300 400 Metres



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MAP 16 Areas where N deposition exceeds the lower critical load, and where the Process Contribution is in excess of 1% of the Lower Critical Load Value

KEY

-  Wisley & Dickham Commons SSSI
-  N deposition exceeding the lower critical load
-  Acid Grassland
-  Bank/Verge Scrub
-  Bracken
-  Bracken Bramble Gorse Scrub
-  Bracken Bramble Scrub
-  Bracken Woodland
-  Bramble Woodland
-  Dry Heath
-  Dry Heath and Bracken
-  Humid Heath
-  Mesic Grassland
-  Molinia Grassland
-  Molinia Heath

SCALE: 1:6,000 at A3
 0 100 200 Metres



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DATE: July 2015



MAP 17 Areas of NOx exceedance in Scenario A

KEY

- Wisley & Ockham Commons SSSI
- Areas of NOx exceedance in scenario A



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DATE: July 2015



MAP 19 Areas of NOx exceedance and improvement in Scenario C with dryland habitats and Annex 1 birds

KEY

- Wisley & Dickham Commons SSSI
- Acid Grassland
- Bank Verges Scrub
- Bracken
- Bracken Bramble Geese Scrub
- Bracken Bramble Scrub
- Bracken Woodland
- Bramble Woodland
- Dry Heath
- Dry Heath and Bracken
- Humid Heath
- Mesic Grassland
- Molinia Grassland
- Molinia Heath
- Nightjar 2010-2013 record
- Woodlark 2010-2013 record
- Nightjar 2014 record
- Woodlark 2014 record
- Areas where NOx levels in exceedance and where PC > 1% of Critical Load
- Areas where NOx levels improved in relation to scenario A under scenario C and where improvement represents > 1% of Critical Load
- Areas where NOx levels in exceedance and where scenario C results in improvement of > 1% of Critical Load

SCALE: 1:6,000 at A3



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 PROJECT: Wisley Airfield
 DATE: July 2015



Appendix 1

Assessment of Reasonable Alternatives

Assessment of Reasonable Alternatives, compiled by Savills, February 2015

1.0 Introduction

There is a need to balance sustainable economic growth with protecting environmental aspects. Guildford Borough and the surrounding authorities have strong economies which leads to development pressure. There are a number of environmental constraints in Guildford Borough, including the Thames Basin Heath Special Protection Area (SPA) and Surrey Hills Area of Outstanding Natural Beauty (AONB).

Having a Local Plan in place (or emerging Local Plan) will lead to greater sustainable outcomes. A Local Plan is vital to direct development to sustainable locations. No development plan (with a similar level of growth) will negatively impact upon the sustainability objectives. The National Planning Policy Framework (NPPF) should be provided significant weight in plan making and decision taking. Where there is no up to date plan, the weight applied to factors such as the absence of a five year housing land supply increases.

WPI made comments on the Sustainability Appraisal (SA) (August 2014) and Habitats Regulation Assessment (HRA) of the Draft Local Plan Strategy and Sites (July 2014). It referred to the work being high level, with a more qualitative review of development sites being necessary to ascertain likely significant effects.

The Sustainability Appraisal (SA) must consider the likely significant effects that the draft Local Plan in totality may have on environmental, economic and social factors in the Borough, along with a robust assessment on all reasonable alternatives. This assessment helps avoid and mitigate any adverse effects. The HRA considers whether the policies and draft allocations will have an impact upon the SPA.

The Council's spatial strategy is set out in Draft Local Plan Policy 2. The pre-text to this policy and Table 1 identifies a number of components which contribute to growth over the plan period. The supporting SA assesses this strategy noting that release of some Green Belt is necessary to meet objectively assessed housing need ("OAN") (even the lower end of the identified need). The NPPF is clear that Local Authorities must seek to meet the OAN wherever possible.

The table below was included within WPI's response to the Draft Local Plan (pages 26-30). The Interim SA focused on more of a spatial analysis rather than qualitative assessment. The table demonstrates the sustainable nature of the proposals at Wisley Airfield and how it meets each of the objectives set out in the SA in turn.

Objective	GBC Assessment	WPI comments
1. To provide sufficient housing of a suitable mix taking into account local housing need, affordability, deliverability, the needs of the economy and travel patterns	Likely to contribute significantly towards housing target	WPI concur. Proposal will contribute up to 2,100 dwellings with a significant number of affordable dwellings subject to policy and viability.
2. To facilitate improved health and well-being of the population including enabling people to stay independent and reducing inequalities in health	The site is 5140m from a health care facility, 1140m from a recreation ground, 2360m from town, 4960m from primary school and over 6000m from a secondary school	This analysis just focuses on existing facilities. The proposal as a new settlement incorporates a health care facility, a primary school, retail, employment opportunities. In addition bus services will be provided along with a dedicated cycle path, increasing accessibility to secondary schools. Wisley New Settlement is also within an immediately rural area, increasing access to the countryside.
3. To reduce the risk of flooding and the resulting detriment to public well-being, the economy and the environment	Site within Flood Zone 1 It is assumed all sites in Flood Zone 3 are at significant risk of flooding	The site is not at risk of flooding. Wisley airfield is one of the 48 sites in Flood Zone 1. The remainder are in Flood Zones 2/3, with 14 sites in Flood Zone 3. At least 55ha of the proposal is proposed for SANGS, and there are further areas for open space (approx. 15.9ha), these areas with no built form mitigate any off-site impacts. SuDs shall also be provided.
4. To create and maintain safer and more secure communities	This objective relates more to design measures and detailed information that would be present in a planning application and therefore no criteria have been proposed (to assess sites in this regard)	There is an opportunity through good design and provision of facilities to tackle crime to ensure safe communities. The Building Regulations are also due for amendment re: Crime prevention measures.
5. To reduce poverty and social exclusion for all sectors of the community	It is not considered possible to spatially assess against this objective i.e. it cannot be shown how the physical attributes of a site area can meaningfully illustrate the effects on this objective	There is an acute housing need, and Wisley constitutes an excellent opportunity to deliver much needed affordable dwellings. The new settlement will make provision for elderly accommodation (either open C3 or a sheltered C2 use). This will ensure that displacement of family members to locations beyond an easily commutable distance does not occur and will ensure the provision of a balanced community.
6. To create and sustain vibrant communities	It is not considered possible to spatially assess against this	The proposal will significantly contribute to the aims of

Objective	GBC Assessment	WPI comments
	objective i.e. it cannot be shown how the physical attributes of a site area can meaningfully illustrate the effects on this objective	sustainable development and offer a much needed increase in the level of housing choice for current and future residents of Guildford Borough. The masterplan proposals were grounded in an appreciation of sustainability principles from the outset.
7 To make the best use of previously developed land and existing buildings	Previously developed land and existing buildings must be prioritised. Wisley airfield is partly previously developed	Wisley site includes c.74 acres of concrete and hardstanding, equating to 25.7% of the land. Wisley contains the largest previously developed site in the Guildford Borough Green Belt.
8 To conserve and enhance biodiversity and the natural environment	<p>The Interim SA notes that 47% of land in the borough is within 400 metres to 5 km of the SPA. The SPA is particularly sensitive to nitrogen deposition and the traffic could lead to more nitrogen emissions.</p> <p>The site is 1,600 metres from the Thames Basin Special Protection Area (SPA) and SSSI. There is a Site of Nature Conservation Interest (SNCI) that intersects the site. It is not in an Area of Outstanding Natural Beauty (AONB).</p> <p>HRA concluded that there should be no adverse effects on the Thames Basin SPA.</p>	<p>Whilst Wisley airfield is within this 47%, it provides sufficient provision of Suitable Alternative Natural Green space (SANGs) to mitigate any impacts.</p> <p>The principal focus of the new settlement is sustainability, the scale of the proposal allows implementation of various alternatives to the car, including regular bus services and dedicated cycle paths and footpaths. Furthermore there will be publicly accessible charging points for electric cars throughout the settlement.</p> <p>Importantly, a development plan is vital to direct development to sustainable locations. No development plan (with a similar level of growth) will negatively impact upon air quality and SPA. Planned growth, with a principle focus of alternatives to the car, as well as technological advances and new Directives, means that there will be a lesser impact on the SPA.</p> <p>It is also important to consider emerging technology and the EU Directive for light-duty vehicles (Regulation 715/2007) when considering the impacts of cars in 20 years time. Each revision to the Directive reduces car emissions, the latest amendment which is due to come into force shortly</p>

Objective	GBC Assessment	WPI comments
		<p>reduces nitrogen oxide from diesel cars from 180mg/km to 80 mg/km.</p> <p>All of the aspects listed above demonstrate that the development of the site will have a neutral impact on the SPA.</p>
<p>9. To protect, enhance, and where appropriate make accessible, the archaeological and historic environments and cultural assets of Guildford, for the benefit of residents and visitors</p>	<p>The site is within 1,130m of a registered/ historic park, 3350m from Schedule Ancient Monument, 1250m from Area of High Archaeological Potential and 1,110m from a Listed Building</p>	<p>Wisley Airfield is a reasonable distance from the heritage assets listed in the SA analysis. When developing detailed proposals care will be undertaken to protect and enhance Conservation Areas.</p>
<p>10. To achieve a pattern of development which minimises journey lengths and encourages the use of sustainable forms of transport (walking, cycling, bus and rail)</p>	<p>The Interim SA report considers that without the development plan that any increase in population and associated travel has the potential to adversely affect air quality.</p> <p>The site is 1,160m from an A road and 3,490m from a railway station</p>	<p>WPI concur, a development plan will ensure future development is sustainably located, thereby reducing the need to travel by car.</p> <p>Development at Wisley airfield will improve local pedestrian and cycle connectivity and public transport services. Proposals also incorporate up to a maximum of 7,260 sq m of new commercial, retail, leisure and community floorspace, meaning that there are services and employment opportunities locally, reducing the need to travel by car</p>
<p>11. To minimise the use of best and most versatile agricultural land and encourage the remediation of contaminated land</p>	<p>GBC notes that 78% of all sites are identified on agricultural land.</p> <p>The site is non-agricultural</p>	<p>Over half of the Wisley airfield site is arable farmland. The scale of the proposal means that development of this site will reduce the need to release other agricultural sites. The redevelopment of the former runway also creates the opportunity to remediate previously developed land.</p>
<p>12. To reduce waste generation and achieve the sustainable management of waste</p>	<p>It is not considered possible to spatially assess against this objective i.e. it cannot be shown how the physical attributes of a site area can meaningful illustrate the effects on this objective.</p>	<p>Through good design waste minimisation and increased recycling may be achieved. Policy may encourage or require this, which is a relevant matter to test in the SA/SEA.</p>
<p>13. To maintain and improve the water quality of the borough's rivers and groundwater, and to</p>	<p>It is not considered possible to spatially assess against this objective i.e. it cannot be shown how the physical</p>	<p>Through good design, a neutral or net benefit for drainage may be achieved, plus treatment of adjacent or nearby</p>

Objective	GBC Assessment	WPI comments
achieve sustainable water resource management	attributes of a site area can meaningful illustrate the effects on this objective.	watercourses. Policy may encourage or require this, which is a relevant matter to test in the SA/SEA.
14. To mitigate the causes and adapt to the effects of climate change through reducing emissions of greenhouses gases	It is not considered possible to spatially assess against this objective i.e. it cannot be shown how the physical attributes of a site area can meaningful illustrate the effects on this objective.	Similarly to point 10, a development plan will ensure that development is sustainably located, thereby reducing the need to travel and ultimately reducing greenhouse gases. The scale of the proposal at Wisley airfield enables the incorporation of new commercial, retail and leisure and community floorspace. Through design, the promotion of public transport may be encouraged.
15. To maintain Guildford Borough and Guildford town's competitive economic role	It is not considered possible to spatially assess against this objective i.e. it cannot be shown how the physical attributes of a site area can meaningful illustrate the effects on this objective.	The proposal will provide a unique opportunity to deliver significant road infrastructure improvements to assist the delivery of the whole Local Plan, deliver on-site employment floorspace, and to support the local economy whilst providing a high quality, sustainable settlement in which to accommodate the Borough's growing workforce.
16. To facilitate appropriate development opportunities to meet the changing needs of the economy		The scheme provides up to a maximum of 7,260 sq m of new commercial, retail, leisure and community floorspace.
17. To enhance the borough's rural economy	It is not considered possible to spatially assess against this objective i.e. it cannot be shown how the physical attributes of a site area can meaningful illustrate the effects on this objective.	Through design and the infrastructure provision provided a series of pedestrian and bridleway enhancements may be realised, all of which shall have indirect benefits for the rural economy.

2.0 Guildford Borough Constraints

Guildford Borough is constrained, with most of the land outside the urban areas being designated as Metropolitan Green Belt (89% of the total land in the Borough).

The Surrey Hills AONB lies within the Borough and is a key landscape feature. AONBs are a national designation and their value is reflected in the NPPF. The NPPF identifies that "*great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to landscape and*

scenic beauty" (paragraph 115). The Interim SA (July 2014) identifies that areas that are afforded protection through national designations should retain their character (page 20).

The Interim SA identifies that 47% of land in the Borough is within 400 metres to 5 km of the SPA, and 6% is within 400 metres of a SPA site, in which no new homes may be built. The map at Annex 1 shows the location of the proposed development sites in relation to the areas of SPA. This demonstrates that a significant amount of planned development is within the same zone from the SPA as Wisley Airfield.

A number of housing sites identified in the Draft Local Plan are in Flood Zones 2/3, with 14 of these being in Flood Zone 3. The NPPF identifies that development should be directed away from areas at risk of flooding, it goes on to state that "*development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding*" (paragraph 101). Wisley airfield is situated in Flood Zone 1, outside an area at risk of flooding.

The Interim SA also refers to the rural-urban fringe of Guildford, Ash and Tongham, with particular features including the River Wey and its water meadows, the floodplain gravel terraces of River Wey to the north of Guildford and the role of these in creating a clear 'gap' and sense of separation between the town and outlying residential areas. Furthermore the sandy soils and London clay to the north of Guildford and east of Ash and Tongham create a distinctive landscape of wooded and heathland commons. Concern is expressed in the SA over the possibility of development and recreational pressure in the future and the impact of urban developments on the views into and out of the surrounding 'rural fringe' (page 19).

A further key constraint in Guildford is transport. The Interim SA identifies that there are four major roads that pass through the borough, with two strategic roads being the M25 and the A3 trunk road. Traffic flows experienced on these roads are higher than those experienced nationally. The SA notes that sections of the A3 trunk road through Guildford are operating in excess of their capacity.

3.0 Why Wisley Airfield is the most appropriate when considered against all the reasonable alternatives?

This section considers the constraints identified above and assesses them in relation to Guildford Borough's approach and the reasonable alternatives set out in the Draft Local Plan Sites and Strategy (July 2014).

Housing Need

The Guildford Borough Draft Local Plan (July 2014) sets a housing target of 13,040 dwellings over the plan period (2011-2031). The Interim SA recognises the high demand for housing in the area. The latest SHMA (December 2014) identifies that there is a total need of 798 dwellings per annum (net need of 542 units). The increase of population in future years, is only likely to further exacerbate current shortages of housing and increase housing need.

A new settlement at Wisley Airfield will provide 2,100 homes, one of the largest proportions of housing of any of the identified sites in the Draft Local Plan (16% of the total housing). The only other proposed sites that can provide a similar number of units are Blackwell Farm and Gosden Hill. Blackwell Farm sits partly in the AONB and would have additional traffic impacts given its location west of Guildford. Gosden Farm has challenges with accessing public transport in the short term. Both the other alternatives, like Wisley, sit within the 5km radius of the SPA.

Green Belt

Given that 89% of the Borough is Green Belt, Guildford Borough recognise that some land will need to be released from the Green Belt to meet future development needs. The Strategic Housing Land Availability Assessment (SHLAA, June 2014) identifies that Guildford Borough made an assumption over Green Belt delivery in the five year land supply and is largely reliant on this as a source of supply, with 73% of total supply.

An independent assessment of the Green Belt, undertaken by Pegasus (April, 2014 update), has been prepared to inform and support the emerging Guildford Borough Local Plan and identified that of the five purposes of the Green Belt, Wisley Airfield effectively only contributes to one purpose (encroachment), and hence is a suitable Potential Development Area ('PDA'). The same study identified that part of the Gosden Hill site contributed to two purposes of the Green Belt. Similarly part of the Blackwell Farm site was identified as having a high sensitivity to the Green Belt purposes (drawing ref:BNL 0287_36-A).

Previously Developed Land

The Interim SA identifies that previously developed land should be prioritised. The NPPF concurs stating that "*planning policies and decisions should encourage the effective use of land by re-using land that has been previously developed*" (paragraph 111). Wisley site includes circa 30ha of concrete and hardstanding, equating to 25.7% of the site. Wisley is the largest previously developed site in the Guildford Borough Green Belt. None of the other strategic sites contain such a large proportion of previously developed land.

Impacts on SPA

The South East Plan has been revoked, though policy NRM6 was retained. This states that: *"Priority should be given to directing development to those areas where potential adverse effects can be avoided without the need for mitigation measures"*. The South East Plan policies, when drafted, applied on the regional level, as interpreted within local planning policy and decision making. Since the revocation of Regional Plans, and the Localism Act, the NPPF outlines that planning policy and decision making be based on local planning. Policy NRM6 must therefore be interpreted in a Guildford Borough context.

Draft Policy 66 is within the 400m – 5km buffer zone of the Thames Basin SPA, as are many other sites, including both the other strategic sites that are of a similar scale (i.e. Gosden Hill and Blackwell Farm). The map at Annex 1 shows the location of all draft allocations in the Draft Local Plan. It demonstrates that there are a number of sites a similar distance from the SPA as Wisley airfield, which will all require mitigation measures to come forward. Very few proposed site allocations within Guildford Borough fall outside the 5km TBH consultation zone, and would not be sufficient alone to deliver the housing numbers proposed by GBC, which comprise the objectively assessed housing needs (OAN) required by national policy. There is nothing within the NPPF that suggests that the OAN be altered to reflect the considerations outlined by NRM6. The interpretation of NRM6 rightly applies to the Guildford Borough Context; in that context it would be impossible to deliver anywhere near the level of housing required by the OAN without a suite of reasonable alternative development sites, all of which are located in the 400m – 5km buffer zone.

The Thames Basin Heath SPA Avoidance Strategy 2009-2014 aims to overcome negative effects on the SPA through provision of Suitable Alternative Natural Green Space (SANG) to attract people away from the SPA and hence reduce pressure on it. It is acknowledged that housing delivery could be effectively mitigated by implementation of the strategically agreed Thames Basin Heath Delivery Framework with provision of 8 ha per 1,000 population of SANG and contributions to the Strategic Access Management and Monitoring (SAMM) programme.

The application at Wisley airfield proposes significantly more SANG than the guidance suggests. The Wisley airfield proposal equates to approximately 13% of the total provision of SANG for the borough. This is the most extensive SANG proposed in the whole Borough. A bespoke SAMM Plus Strategy is also proposed to draw people to countryside recreational routes outwith the Application Site and outwith the SPA. Provision of a dedicated Wisley and Ockham Warden, and a package of educational measures, is also proposed to improve public education and to manage the existing and future effects of public access on the SPA. By virtue of such provisions, the proposals seek to manage not only the effects generated by the scheme but also make contributions towards managing the baseline of recreational pressure on the SPA, ensuring a fully integrated and sustainable approach to impact avoidance and mitigation.

These aspects all demonstrate that the development of Wisley airfield will have at least a neutral impact on the SPA.

Biodiversity

The scheme has been designed to not only ensure no significant impacts on features of nature conservation value within the site, but to deliver significant biodiversity enhancements in line with the principles of the NPPF. Through the SANG provision, some 50ha of semi-natural open space with a variety of habitats is to be delivered. The SANG will be managed to not only provide the necessary recreational resource that is required to mitigate harm to the SPA, but also to restore degraded wildlife habitats, create new wildlife habitats including wet and dry meadow, woodland, hedgerow, ponds and scrub, and to manage these habitats to maximise their biodiversity value in perpetuity. Noteworthy contributions towards the aims of the Surrey Biodiversity Action Plan will therefore be delivered.

Transport

By virtue of its location on the London-side of Guildford town, the site would have reduced impacts on the constrained A3 corridor through Guildford town when compared with alternative housing sites, including the Blackwell Farm site.

Deliverability

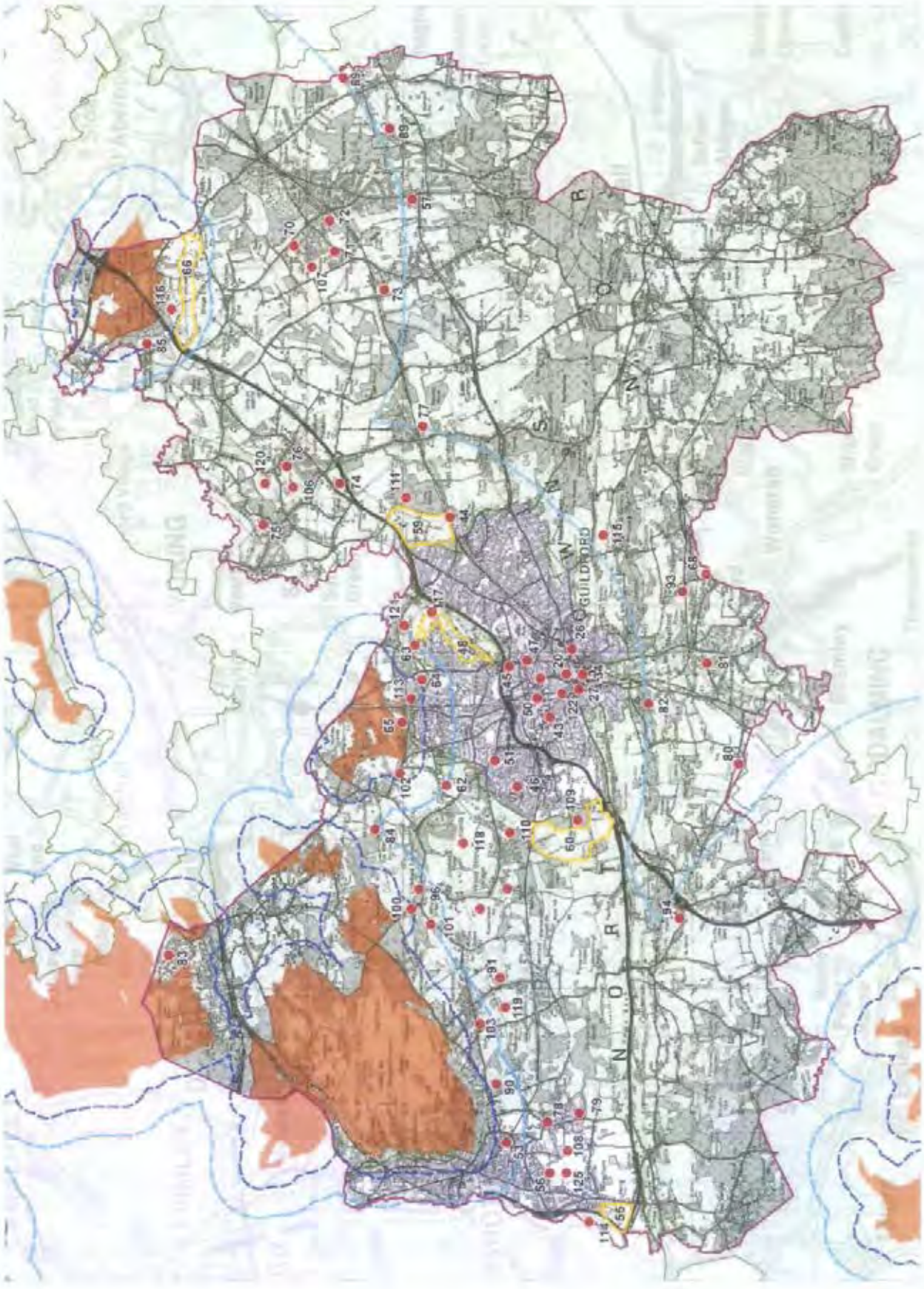
There are no other large strategic sites that are deliverable in the short term. The site at Wisley airfield is in single ownership and is readily available. The submission of the outline application demonstrates this. Based on the phasing plan Wisley airfield will deliver approximately 443 units over the next five years (699 units 2015-2020). The NPPF recognises that delivery of land supply is just as important as the supply itself.

4.0 Conclusion

The Draft Local Plan (July 2014) Policy 2 sets out the development strategy for the Borough over the plan period (2011-2031). Table 1 of the Draft Local Plan identifies the different components which make up the housing supply. All the components are necessary to deliver the scale of growth identified in the Local Plan. Nonetheless as demonstrated above, when considering sites of a similar scale, Wisley is the most appropriate for the following reasons:

- The scale of the site means that it will deliver 2,100 units (16% of the total housing requirement).

- It is the largest previously developed site in the Borough, Guildford Borough and the NPPF encourage the effective use of brownfield land;
- The independent GBCS identifies that the site only contributes to one purpose of the Green Belt
- The site is relatively far from the nearest settlement; it is not within an AONB and is well screened in landscape terms;
- The location of the site to the north of Guildford, means that site would have reduced impacts on the constrained A3 corridor through Guildford town;
- It is deliverable in the short term;
- Like many other of the proposed development sites, Wisley sits within the 400m – 5km zone of the SPA;
- Provision of SANGs at 10ha per 1,000 population, along with access management measures, biodiversity enhancement and green infrastructure measures means that the proposals will have at least a neutral impact on the SPA and will deliver net gains for biodiversity.



- Guildford district
- Special Protection Area
- Green Belt
- Special Protection Area: 400m buffer
- Special Protection Area: 1m buffer
- Special Protection Area: 5m buffer
- Draft sites allocations
- Development sites to be removed from Green Belt

Appendix 2

Correspondence with Natural England

Date: 23 January 2014
Our ref: 108772
Your ref: 14/S/00001



Tara Taylor
Planning case officer
Guildford Borough Council

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T 0300 060 3900

BY EMAIL ONLY

Dear Tara Taylor

Planning consultation: Request for a Scoping Opinion in accordance with Regulation 13 of the Town and Planning Country Planning (Environmental Impact Assessment) (England) Regulations 2011.

Location: Wisley Airfield, Ockham Lane, Ockham

Thank you for seeking our advice on the scope of the Environmental Statement (ES) in your consultation dated 09 January 2014 which was received by Natural England on the same date.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Case law¹ and guidance² has stressed the need for a full set of environmental information to be available for consideration prior to a decision being taken on whether or not to grant planning permission. Appendix A to this letter provides Natural England's advice on the scope of the Environmental Impact Assessment (EIA) for this development.

Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us. For any queries relating to the specific advice in this letter only please contact Julia Coneybeer on 0300 060 4062. For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

We really value your feedback to help us improve the service we offer. We have attached a feedback form to this letter and welcome any comments you might have about our service.

Yours sincerely

Julia Coneybeer

Lead advisor, Land Use Operations (Ashford)

¹ Harrison, J in *R. v. Cornwall County Council ex parte Hardy* (2001)

² *Note on Environmental Impact Assessment Directive for Local Planning Authorities* Office of the Deputy Prime Minister (April 2004) available from <http://webarchive.nationalarchives.gov.uk/+http://www.communities.gov.uk/planningandbuilding/planning/sustainability/environmental/environmentalimpactassessment/noteenvironmental/>

Annex A – Advice related to EIA Scoping Requirements

1. General Principles

Schedule 4 of the Town & Country Planning (Environmental Impact Assessment) Regulations 2011, sets out the necessary information to assess impacts on the natural environment to be included in an ES, specifically:

- A description of the development – including physical characteristics and the full land use requirements of the site during construction and operational phases.
- Expected residues and emissions (water, air and soil pollution, noise, vibration, light, heat, radiation, etc.) resulting from the operation of the proposed development.
- An assessment of alternatives and clear reasoning as to why the preferred option has been chosen.
- A description of the aspects of the environment likely to be significantly affected by the development, including, in particular, population, fauna, flora, soil, water, air, climatic factors, material assets, including the architectural and archaeological heritage, landscape and the interrelationship between the above factors.
- A description of the likely significant effects of the development on the environment – this should cover direct effects but also any indirect, secondary, cumulative, short, medium and long term, permanent and temporary, positive and negative effects. Effects should relate to the existence of the development, the use of natural resources and the emissions from pollutants. This should also include a description of the forecasting methods to predict the likely effects on the environment.
- A description of the measures envisaged to prevent, reduce and where possible offset any significant adverse effects on the environment.
- A non-technical summary of the information.
- An indication of any difficulties (technical deficiencies or lack of know-how) encountered by the applicant in compiling the required information.

It will be important for any assessment to consider the potential cumulative effects of this proposal, including all supporting infrastructure, with other similar proposals and a thorough assessment of the 'in combination' effects of the proposed development with any existing developments and current applications. A full consideration of the implications of the whole scheme should be included in the ES. All supporting infrastructure should be included within the assessment.

2. Biodiversity and Geology

2.1 Ecological Aspects of an Environmental Statement

Natural England advises that the potential impact of the proposal upon features of nature conservation interest and opportunities for habitat creation/ enhancement should be included within this assessment in accordance with appropriate guidance on such matters. Guidelines for Ecological Impact Assessment (EclA) have been developed by the Institute of Ecology and Environmental Management (IEEM) and are available on their website.

EclA is the process of identifying, quantifying and evaluating the potential impacts of defined actions on ecosystems or their components. EclA may be carried out as part of the EIA process or to support other forms of environmental assessment or appraisal.

The National Planning Policy Framework sets out guidance in S.118 on how to take account of biodiversity interests in planning decisions and the framework that local authorities should provide to assist developers.

2.2 Internationally and Nationally Designated Sites

The ES should thoroughly assess the potential for the proposal to affect designated sites. European sites (eg designated Special Areas of Conservation and Special Protection Areas) fall

within the scope of the Conservation of Habitats and Species Regulations 2010. In addition paragraph 118 of the National Planning Policy Framework requires that potential Special Protection Areas, possible Special Areas of Conservation, listed or proposed Ramsar sites, and any site identified as being necessary to compensate for adverse impacts on classified, potential or possible SPAs, SACs and Ramsar sites be treated in the same way as classified sites.

Under Regulation 61 of the Conservation of Habitats and Species Regulations 2010 an appropriate assessment needs to be undertaken in respect of any plan or project which is (a) likely to have a significant effect on a European site (either alone or in combination with other plans or projects) and (b) not directly connected with or necessary to the management of the site.

Should a Likely Significant Effect on a European/ Internationally designated site be identified or be uncertain, the competent authority (in this case the Local Planning Authority) may need to prepare an Appropriate Assessment, in addition to consideration of impacts through the EIA process.

Sites of Special Scientific Interest (SSSIs) and sites of European or international importance (Special Areas of Conservation, Special Protection Areas and Ramsar sites)

The development site is adjacent to the following designated nature conservation sites:

- Ockham and Wisley Commons Site of Special Scientific Interest (SSSI)
- Thames Basin Heaths Special Protection Area (SPA)

Further information on the SSSI and its special interest features can be found at www.natureonthemap.naturalengland.org.uk. The Environmental Statement should include a full assessment of the direct and indirect effects of the development on the features of special interest within this site and should identify such mitigation measures as may be required in order to avoid, minimise or reduce any adverse significant effects.

European site conservation objectives are available on our internet site [here](#)

In this case the proposal is not directly connected with, or necessary to, the management of a European site. In our view it is likely that it will have a significant effect on internationally designated sites and therefore will require assessment under the Habitats Regulations. We recommend that there should be a separate section of the Environmental Statement to address impacts upon European and Ramsar sites entitled 'Information for Habitats Regulations Assessment', and should include but not necessarily be restricted to consideration of the following impacts:

- *Disturbance*

Disturbance impacts on the breeding bird species for which the SPA is notified, Dartford warbler, woodlark and nightjar, should be considered during both construction and operation. This should include visual and noise disturbance resulting from construction activities, and recreational disturbance from visitors and dogs and lighting from the development during operation, and how this can be avoided or mitigated. The EIA Scoping documentation refers to incorporation of Suitable Alternative Natural Greenspace (SANG) to address the impact of increased recreational pressure on the SPA. Natural England is due to engage with the applicants on pre-application advice on this critical aspect of the proposals.

- *Edge effects*

Given the proximity of proposed housing to the SPA, urban edge effects on the site should be considered including increased incidence of heathland fires and cat predation.

- *Pollution*

Hydrological pollution – impacts from water pollution via drainage and surface run-off during construction and operation should be addressed, in particular in the vicinity of the watercourse present at the northern boundary of the proposed application site near the Mount Pleasant Cottages which flows to the SSSI.

Air pollution – an air quality assessment should be undertaken to establish likely impacts on SPA habitat from dust production during construction and traffic emissions during construction and operation. A clear breakdown of the air quality pollutants to be emitted by the proposals, including secondary pollutants, and those generated by any traffic to and from the works, should be provided. In addition, a full assessment should be made of the impacts of the aforementioned pollutants on the SPA. Information on the effects of nutrient nitrogen and acid deposition on the SPA can be found at <http://www.apis.ac.uk/>.

Of particular concern are the potential effects of nutrient nitrogen and acid deposition on the supporting habitat of the SPA birds. An assessment of the percentage contribution of the proposals to emissions, in terms of critical loads for nitrogen and acid deposition on the SPA, should be made. The background levels should be combined with the proposed contribution to emissions from the proposals, to produce a joint percentage or 'environmental load', also expressed as a percentage of the critical load for the SPA. The pH of the SPA and the potential buffering capacity of the substrate, should also be taken into account.

- *In combination assessment*

The impacts of the proposals will need be considered in conjunction with any other permitted/ proposed plans or projects which may impact on the Thames Basin Heaths SPA.

2.3 Regionally and Locally Important Sites

The EIA will need to consider any impacts upon local wildlife and geological sites. The proposed site occupies the Wisley Field (Wisley Airfield) Site of Nature Conservation Importance (SNCI).

Local Sites are identified by the local wildlife trust, geoconservation group or a local forum established for the purposes of identifying and selecting local sites. They are of county importance for wildlife or geodiversity. The Environmental Statement should therefore include an assessment of the likely impacts on the wildlife and geodiversity interests of such sites. The assessment should include proposals for mitigation of any impacts and if appropriate, compensation measures. Contact the Surrey Wildlife Trust for further information.

2.4 Protected Species - Species protected by the Wildlife and Countryside Act 1981 (as amended) and by the Conservation of Habitats and Species Regulations 2010

The ES should assess the impact of all phases of the proposal on protected species (including, for example, great crested newts, reptiles, birds, water voles, badgers and bats). Natural England does not hold comprehensive information regarding the locations of species protected by law, but advises on the procedures and legislation relevant to such species. Records of protected species should be sought from appropriate local biological record centres, nature conservation organisations, groups and individuals; and consideration should be given to the wider context of the site for example in terms of habitat linkages and protected species populations in the wider area, to assist in the impact assessment.

The conservation of species protected by law is explained in Part IV and Annex A of Government Circular 06/2005 *Biodiversity and Geological Conservation: Statutory Obligations and their Impact within the Planning System*. The area likely to be affected by the proposal should be thoroughly surveyed by competent ecologists at appropriate times of year for relevant species and the survey

results, impact assessments and appropriate accompanying mitigation strategies included as part of the ES.

In order to provide this information there may be a requirement for a survey at a particular time of year. Surveys should always be carried out in optimal survey time periods and to current guidance by suitably qualified and where necessary, licensed, consultants. Natural England has adopted [standing advice](#) for protected species which includes links to guidance on survey and mitigation.

2.5 Habitats and Species of Principal Importance

The ES should thoroughly assess the impact of the proposals on habitats and/ or species listed as 'Habitats and Species of Principal Importance' within the England Biodiversity List, published under the requirements of S41 of the Natural Environment and Rural Communities (NERC) Act 2006. Section 40 of the NERC Act 2006 places a general duty on all public authorities, including local planning authorities, to conserve and enhance biodiversity. Further information on this duty is available in the Defra publication '[Guidance for Local Authorities on Implementing the Biodiversity Duty](#)'.

Government Circular 06/2005 states that Biodiversity Action Plan (BAP) species and habitats, 'are capable of being a material consideration...in the making of planning decisions'. Natural England therefore advises that survey, impact assessment and mitigation proposals for Habitats and Species of Principal Importance should be included in the ES. Consideration should also be given to those species and habitats included in the relevant Local BAP.

Natural England advises that a habitat survey (equivalent to Phase 2) is carried out on the site, in order to identify any important habitats present. In addition, ornithological, botanical and invertebrate surveys should be carried out at appropriate times in the year, to establish whether any scarce or priority species are present. The Environmental Statement should include details of:

- Any historical data for the site affected by the proposal (eg from previous surveys);
- Additional surveys carried out as part of this proposal;
- The habitats and species present;
- The status of these habitats and species (eg whether priority species or habitat);
- The direct and indirect effects of the development upon those habitats and species;
- Full details of any mitigation or compensation that might be required.

The development should seek if possible to avoid adverse impact on sensitive areas for wildlife within the site, and if possible provide opportunities for overall wildlife gain.

The record centre for the relevant Local Authorities should be able to provide the relevant information on the location and type of priority habitat for the area under consideration.

2.6 Contacts for Local Records

Natural England does not hold local information on local sites, local landscape character and local or national biodiversity priority habitats and species. We recommend that you seek further information from the appropriate bodies (which may include the local records centre, the local wildlife trust, local geoconservation group or other recording society and a local landscape characterisation document).

For the Local Record Centre (LRC) in Surrey the Surrey Wildlife Trust should be contacted.

3. Designated Landscapes and Landscape Character

Landscape and visual impacts

Natural England would wish to see details of local landscape character areas mapped at a scale appropriate to the development site as well as any relevant management plans or strategies

pertaining to the area. The EIA should include assessments of visual effects on the surrounding area and landscape together with any physical effects of the development, such as changes in topography. The European Landscape Convention places a duty on Local Planning Authorities to consider the impacts of landscape when exercising their functions.

The EIA should include a full assessment of the potential impacts of the development on local landscape character using landscape assessment methodologies. We encourage the use of Landscape Character Assessment (LCA), based on the good practice guidelines produced jointly by the Landscape Institute and Institute of Environmental Assessment in 2013. LCA provides a sound basis for guiding, informing and understanding the ability of any location to accommodate change and to make positive proposals for conserving, enhancing or regenerating character, as detailed proposals are developed.

Natural England supports the publication *Guidelines for Landscape and Visual Impact Assessment*, produced by the Landscape Institute and the Institute of Environmental Assessment and Management in 2013 (3rd edition). The methodology set out is almost universally used for landscape and visual impact assessment.

In order to foster high quality development that respects, maintains, or enhances, local landscape character and distinctiveness, Natural England encourages all new development to consider the character and distinctiveness of the area, with the siting and design of the proposed development reflecting local design characteristics and, wherever possible, using local materials. The Environmental Impact Assessment process should detail the measures to be taken to ensure the building design will be of a high standard, as well as detail of layout alternatives together with justification of the selected option in terms of landscape impact and benefit.

The assessment should also include the cumulative effect of the development with other relevant existing or proposed developments in the area. In this context Natural England advises that the cumulative impact assessment should include other proposals currently at Scoping stage. Due to the overlapping timescale of their progress through the planning system, cumulative impact of the proposed development with those proposals currently at Scoping stage would be likely to be a material consideration at the time of determination of the planning application.

The assessment should refer to the relevant National Character Areas which can be found on our website. Links for Landscape Character Assessment at a local level are also available on the same page.

Heritage Landscapes

You should consider whether there is land in the area affected by the development which qualifies for conditional exemption from capital taxes on the grounds of outstanding scenic, scientific or historic interest. These are considered to be designated landscapes of national importance and the impact of the proposal on these should be assessed where appropriate. An up-to-date list may be obtained at www.hmrc.gov.uk/heritage/lbsearch.htm and further information can be found on Natural England's landscape pages [here](#).

4. Access and Recreation

Natural England encourages any proposal to incorporate measures to help encourage people to access the countryside for quiet enjoyment. Measures such as reinstating existing footpaths together with the creation of new footpaths and bridleways are to be encouraged. Links to other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green infrastructure. Relevant aspects of local authority green infrastructure strategies should be incorporated where appropriate.

Rights of Way, Access land, Coastal access and National Trails

The EIA should consider potential impacts on access land, public open land, rights of way and

coastal access routes in the vicinity of the development. Consideration should also be given to the potential impacts on the adjacent/nearby [Click here to enter text](#). National Trail. The National Trails website www.nationaltrail.co.uk provides information including contact details for the National Trail Officer. Appropriate mitigation measures should be incorporated for any adverse impacts. We also recommend reference to the relevant Right of Way Improvement Plans (ROWIP) to identify public rights of way within or adjacent to the proposed site that should be maintained or enhanced.

5. Soil and Agricultural Land Quality

Impacts from the development should be considered in light of the Government's policy for the protection of the best and most versatile (BMV) agricultural land as set out in paragraph 112 of the NPPF. We also recommend that soils should be considered under a more general heading of sustainable use of land and the ecosystem services they provide as a natural resource in line with paragraph 109 of the NPPF.

6. Air Quality

Air quality in the UK has improved over recent decades but air pollution remains a significant issue; for example over 97% of sensitive habitat area in England is predicted to exceed the critical loads for ecosystem protection from atmospheric nitrogen deposition ([England Biodiversity Strategy](#), Defra 2011). A priority action in the England Biodiversity Strategy is to reduce air pollution impacts on biodiversity. The planning system plays a key role in determining the location of developments which may give rise to pollution, either directly or from traffic generation, and hence planning decisions can have a significant impact on the quality of air, water and land. The assessment should take account of the risks of air pollution and how these can be managed or reduced. Further information on air pollution impacts and the sensitivity of different habitats/designated sites can be found on the Air Pollution Information System (www.apis.ac.uk). Further information on air pollution modelling and assessment can be found on the Environment Agency website.

7. Climate Change Adaptation

The [England Biodiversity Strategy](#) published by Defra establishes principles for the consideration of biodiversity and the effects of climate change. The ES should reflect these principles and identify how the development's effects on the natural environment will be influenced by climate change, and how ecological networks will be maintained. The NPPF requires that the planning system should contribute to the enhancement of the natural environment 'by establishing coherent ecological networks that are more resilient to current and future pressures' (NPPF Para 109), which should be demonstrated through the ES.

8. Cumulative and in-combination effects

A full consideration of the implications of the whole scheme should be included in the ES. All supporting infrastructure should be included within the assessment.

The ES should include an impact assessment to identify, describe and evaluate the effects that are likely to result from the project in combination with other projects and activities that are being, have been or will be carried out. The following types of projects should be included in such an assessment, (subject to available information):

- a. existing completed projects;
- b. approved but uncompleted projects;
- c. ongoing activities;
- d. plans or projects for which an application has been made and which are under consideration by the consenting authorities; and
- e. plans and projects which are reasonably foreseeable, ie projects for which an application has not yet been submitted, but which are likely to progress before completion of the development and for which sufficient information is available to assess the likelihood of cumulative and in-combination effects.

9. Ancient Woodland – addition to the S41 NERC Act paragraph

The S41 list includes six priority woodland habitats, which will often be ancient woodland, with all ancient semi-natural woodland in the South East falling into one or more of the six types.

Information about ancient woodland can be found in Natural England's standing advice http://www.naturalengland.org.uk/Images/standing-advice-ancient-woodland_tcm6-32633.pdf.

Ancient woodland is an irreplaceable resource of great importance for its wildlife, its history and the contribution it makes to our diverse landscapes. Local authorities have a vital role in ensuring its conservation, in particular through the planning system. The ES should have regard to the requirements under the NPPF (Para. 118)² which states:

'Planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss.'

Rebecca Brookbank

From: Barker, Francesca (NE) <Francesca.Barker@naturalengland.org.uk>
Sent: 02 December 2014 14:20
To: Charles Collins; Turner, Marc (NE)
Cc: Mike Davies (Davies Landscape Architects); Dan.Knowles@guildford.gov.uk; Paul Sherman; Rebecca Brookbank; mike.murray@causewayland.com; Katherine Munro
Subject: RE: Wisley New Settlement - Natural England

Dear Charlie

Thank you for your email.

I can agree that your email provides a brief overview of potential mitigation options that we discussed for the Wisley development. However, we are unable to comment on the acceptability of these proposals until they have been assessed under the Habitats Regulations.

I also understand that Becky will be forwarding the notes from the site visit on Friday, which I will review, and then email over any amendments/additions as soon as possible. Again, please note that I will be unable to agree that the mitigation discussed on Friday will not lead to an adverse effect on integrity of Thames Basin Heaths Special Protection Area until it has been tested under the Habitats Regulations.

I hope this email has been of help.

Warmest wishes,

Francesca Barker
Land Use Lead Adviser
Dorset, Hampshire and Isle of Wight Area Team

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Tel: 0300 060 0873
[REDACTED]

www.naturalengland.org.uk

If you have just sent me a land use consultation, please resend to consultations@naturalengland.org.uk or, for any other land use query, please contact our Land Use Planning Enquiry line (0300 060 3900) in the first instance.

We are here to secure a healthy natural environment for people to enjoy, where wildlife is protected and England's traditional landscapes are safeguarded for future generations.

In an effort to reduce Natural England's carbon footprint, I will, wherever possible, avoid travelling to meetings and attend via audio, video or web conferencing.

Natural England is accredited to the Cabinet Office Customer Service Excellence Standard

From: Charles Collins [mailto:CCollins@savills.com]
Sent: 25 November 2014 17:14
To: Turner, Marc (NE); Barker, Francesca (NE)
Cc: Mike Davies (Davies Landscape Architects); Dan.Knowles@guildford.gov.uk; 'Paul Sherman': (rebeccabrookbank@epr.uk.com); 'mike.murray@causewayland.com'; Katherine Munro
Subject: Wisley New Settlement - Natural England

Francesca, Mark

Wisley New Settlement - Natural England

I thought it helpful to outline the substantive matters agreed last Friday. We are meeting GBC again this Thursday.

Subject to your review of detail we have provisionally agreed:

- SANG at 10 ha per 1,000 population standard
- SAMM contribution (based on the standard)
- A 'SAMM PLUS' strategy

The SAMM PLUS strategy will inform the Section 106 and contain:

- A SANG strategy relating to circa 50ha of SANG, based on the standard agreed, and landscape design
- Adoption or management of the SANGs via either a Community land trust, adoption by SCC or Surrey Wildlife Trust or a management company
- Access Management Strategy (AMS) which incorporates a number of highways, education, site wardening and pedestrian and cycle measures (references to the Wisley & Ockham Walk Way ("WOW"))
- Landscape Ecological Management Plan (LEMP) covering non SANG related on-site matters

The above shall be explained identified within a Framework SANG Strategy, to be submitted with the application. The illustrative landscape designs shall be included in the indicative D&AS and landscape masterplan.

To be clear, we now no longer propose any rights of way diversions or stopping up.

Soon in the New Year an Information for Habitats Regulations Assessment will be shared, together with further detail on the SANG strategy. We will agree with GBC as part of the 30 week determination, a longer time period for you to comment on the application. I will discuss this with GBC on Thursday.

I hope this clarifies matters, and I know that Mikes Davies and Mike Murray are looking forward to seeing you on Friday on site, and that we anticipate Rebecca Brookbank also being available for the meeting (I have copied her).

I have also copied Paul and Dan from GBC.

Regards,

Charlie

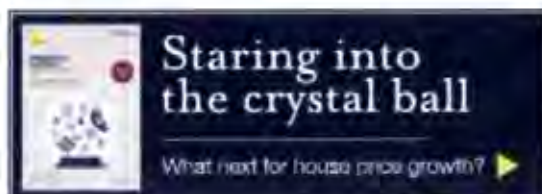
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Ecological Planning & Research

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Wisley Airfield, Surrey, Site Walkover Notes, 28th November 2014;

Agreed by Natural England on 10th December 2014.

Attendees:

Francesca Barker – Land Use Lead Advisor Natural England
Pippa Langford – Senior Access Advisor Natural England
Graham Steven – SSSI Officer Natural England
Paul Sherman – Planning Case Officer for Wisley – Guildford BC
Sally Astels – Parks and Countryside officer – GBC
Claire Saunders – Senior Countryside Access Officer SCC
Luke Dawson – Countryside Access Officer SCC
Mike Murray – Causeway Land for Wisley Property Investments
Mike Davies – Davies Landscape Architects
Rebecca Brookbank - EPR

→ *Car Park Introduction*

Introduction of the Masterplan (MM & MD)

- Over 50% of site dedicated to green infrastructure.
- Phased west to east.
- Haul road will run through the north of the SANG until phase 4 when it will be converted to SANG.
- Western edge is used by bats – MUGA lighting, controlled to 2 lux.
- Bund to attenuate noise / protect visual amenity – elevated walkway on top crossing access road by feature footbridge
- Elm Lane – through-access for vehicles to A3 to be closed.
- Existing resident access re-routed through SANG site
- Traveller site surrounded by bank / "tail" of tump and planting, much of which is existing.
- Tump to be created to form feature views, balance cut and fill, DDA compliant footpath to top,
- Successful appeal for composting site implemented – modelled landscape and visual impacts for this scheme.
- Site broken up by GI – 4 smaller villages – green fingers providing north/south links for wildlife (defending against future effects of climate change and habitat isolation) – traffic narrowing and calming at 2 corridors (20 mph).
- 4 PROW transecting site N/S: Wisley RHS, Snakes Field, Elm Corner, Old Lane.

Introduction of the SANG (MM & MD)

- Midpoint widened to 75m to respond to Francesca's comment, although 100m was advised by NE as the offset.
- Cater for new residents and provide unique resource for existing residents.
- 2.3 km walk in Phase 1, from car park (SANG link length discounted).
- 5km+ in full operation.
- 1.7km in southern block.
- Woodland, meadow, orchard habitats.
- Landforms used to provide visual separation
- Southern edge site proposed as supporting POS– wild foraging corridor.

Introduction of Highways Measures (MM & MD)

- No proposal to divert PRoW.
- Old Lane south of Boulder Mere Car park, north of Pond car park restricted to one way– southern car park effectively blocked off from north. Access from south limited by proposed road closures at Ockham Lane and Plough Lane.
- NE SSSI officer pleased about control along this route, although stated that southern car park is quieter than northern car park and safer for dogs.
- Southern car park restriction popular with SCC and police due to antisocial behaviour.
- Traffic block also proposed on Ockham Lane – traffic north/south (2-way block).
- Third block proposed on Plough Lane – will stop rat running to Cobham. Old Lane will become very quiet – won't be directly accessible from Ockham, A3 or Cobham (2-way block).
- A3, functional improvements not believed to encroach on SSSI land.

Introduction of the WOW (MM & MD)

- 10 km route to provide 'family friendly cycling'.
- Taking in range of habitats.
- Other features: semaphore tower, RHS Wisley (incl. café).
- Existing bridleway on much of route– horse use not to be restricted
- Surface upgrades proposed.
- Q code and telephone number code – Linked to website / app to download route / get info on points of interest.

Dealing with the SANG Pinchpoint (MD)

- Landform to separate east / west routes.
- 75m from edge of SANG to edge of urban realm (which includes planting – not edge of housing)
- Landforms through site, so not odd feature.
- Pinchpoint not included in 2.3km circular walk.

NE concerns about SANG (FB) (pre site visit)

- Separation of southern block.
- Urban feel.
- Road through to adjacent housing (following Highway measures above).
- Traveller site – urban influence.
- SANG needs to be semi-natural– want wild feel, no manmade features.
- SANG narrow across width; concerned people would want to get away from houses – so get into car and turn left out of development to SPA.

- Limited time available to have input into design.
- As next to SPA, has to work from start to get behaviour of new residents right.
- Habitat creation in advance – mature SANG with instant impact from 1st occupation.
- Dilly Lane SANG habitat creation now maturing, can look at timeline for establishment & outcomes from monitoring (RB).

→ **Site Visit**

Management of Wisley and Ockham Common (GS)

- SWT took over in 2002.
- Was under Countryside Stewardship then Higher Level Stewardship.
- Tree clearance 2002-2010.
- Annex 1 Bird numbers have increased following tree clearance (approximate numbers cited by GS, although definitive bird survey data to be obtained from 2 J's):
 - All 3 species.
 - 7 pairs Nightjar.
 - 4-6 pairs Woodlark.
 - 4-5 Dartford Warbler.

Hatchford Wood on the WOW

- Owned by SCC.
- Not SPA.
- Signage indicates route to Ockham Common.
- Footpath improvement proposed.
 - Surfacing – pH neutral, no weeds, still soft, permeable surfaces, drain, self-binding.
 - Look at surfacing with SCC and NE.
 - Remove existing muddy layer.
 - Looks natural and in-keeping.
 - Proposals look suitable (GS).
- NE – option for signposted route around wood to keep people out of SPA and funnel them back to the development? (FB/PW)
- Need focus on shorter targeted dog walking routes (FB).
- Semaphore tower access – promote existing picnic site? (RB)
- SSSI features on other side of M25 and A3 less sensitive (GS)
- Useful resource: Surrey Wildlife Trust Management Plan, especially Fig. 6 & 7.
- NE have concerns over the proposed WOW route where it approaches the SPA, and therefore advise that the WOW is diverted away from this junction and through the woods directly to the Semaphore tower

Visitor Survey

- FB recalled that postcodes from car park originate from north of A3/M25, although definitive survey data will need to be reviewed.
- Block access from A3 to café/car park, would lower baseline of pressure, but SWT contractual position may be problematic. MFM noted provision for café / visitor centre in village centre adjacent to SANG.

Snakes Field

- Managed by SWT – Gemma Grant, warden.
- Existing wildlife interest will colonise SANG- obtain info/management plan?

- Avenue funnels people into SPA (PW)
 - Redirect around edge of field?
 - Thin more obvious trees on entrance to avenue from Wisley Airfield?
- Green hay for SANG?
- Landscape plan for Snakes Field to complement access management strategy?
- Commitment to enhance for biodiversity, potential conflict with use for recreation? (GS)
- Notes snakes field represented compensation for loss of SPA from M25, should be publically accessible, access should not preclude biodiversity objectives (PW).

Features in SANG (FB)

- Rustic seating ok.
- No trim trail.
- Bird hide – move to outdoor classroom/café area.
- Bee hive area - move to southern “fruit boundary”
- PROW – don’t surface treat at all, although keep trees out as need to keep clear, support for strategy of strategic planting and features to reduce obvious desire line
- Make E-W SANG paths more prominent than PROW.
- Need circular walk in SW SANG block.
- Existing PROW – need agreement from SCC on any change in treatment/management/surfacing.
- Check no hydrological change to SPA.
- Southern SANG block
 - Needs to be accessible – access to river.
 - Paths raised so don’t flood – boggy ground, consider surface type.
 - Bridge over river to access other side – 2 ideal.
 - EA permit may be needed – ok so long as flood risk ok.
 - FB → not primary SANG route, so if floods part of year and inaccessible not major problem.
 - Footpath along top of bank in Southern SANG out of boggy area – look at drainage options?
- 1 space per ha of SANG required (48) for car park
 - 100 proposed, to be shared with school and village centre.
 - 30 spaces to be reserved for SANG in some way?

Further Discussion about Built Development (MM & MD)

- Tump – up to 32m high – will be views.
- Drone images (360°) to go with application supporting documentation to follow submission.
- Screening houses from SANG required:
 - At edge, some houses: say 2-3 storey.
 - Some townhouses: say 3-4 storey.
- Bound track to Elm Lane residents.
 - Explore 20 mph limit.
 - Away from main walk.
 - Dog safety to be considered.
 - Track running as close as possible to retained woodland.
- Sports pitches won't be obvious from SANG
- SNCI disturbed as little as possible.
 - Carry out restoration to maximise value of SANG habitats.

Options for SPA Access Management








- Onsite access management and/or instead of WOW?
 - Redirecting new users to less sensitive parts of SPA through footpaths signage, wardening and leaflets? SWT leaflet: Way-marked trail to semaphore tower goes through sensitive heathland area. Change route – new users want to follow marked trail, so don't get lost. (PL)
 - East of SPA owned by SCC, not CROW Act, if **dedicated as open access land**, can control dog use with education programme/leaflets. Would require dogs on a lead during bird nesting period. Complement with wardening/leaflets to direct dog off leading walking to SANG.
 - Possible dog control order – needs consultation, may not be required if open access land dedication can implement seasonal "dogs on leads" requirements.
 - Kennel club- risk of objection.
- Warden role
 - Ongoing review of soft access management measures.
 - Habitat management.
 - Public liaison.
 - Signage
 - Dog off lead route to focus access.
 - Education – info leaflets and signs
 - SSSI officer- Queenham Common – fingerposts used to identify sensitive areas, has been effective.

EPR/RB/10.12.14

Appendix 3
Proposed Highway Improvements

MAP A3 Viable Travel Routes to Access Point 5

KEY

-  Site boundary
-  SANG boundary
-  Access point 5
-  Visitor to access point 5
-  Visitors to access point 5 that are likely to be captured by Wisley SANG
-  Viable travel routes to access point 5 prior to road closures
-  Viable travel route to access point 5 after road closures

Inset - Old Lane road block



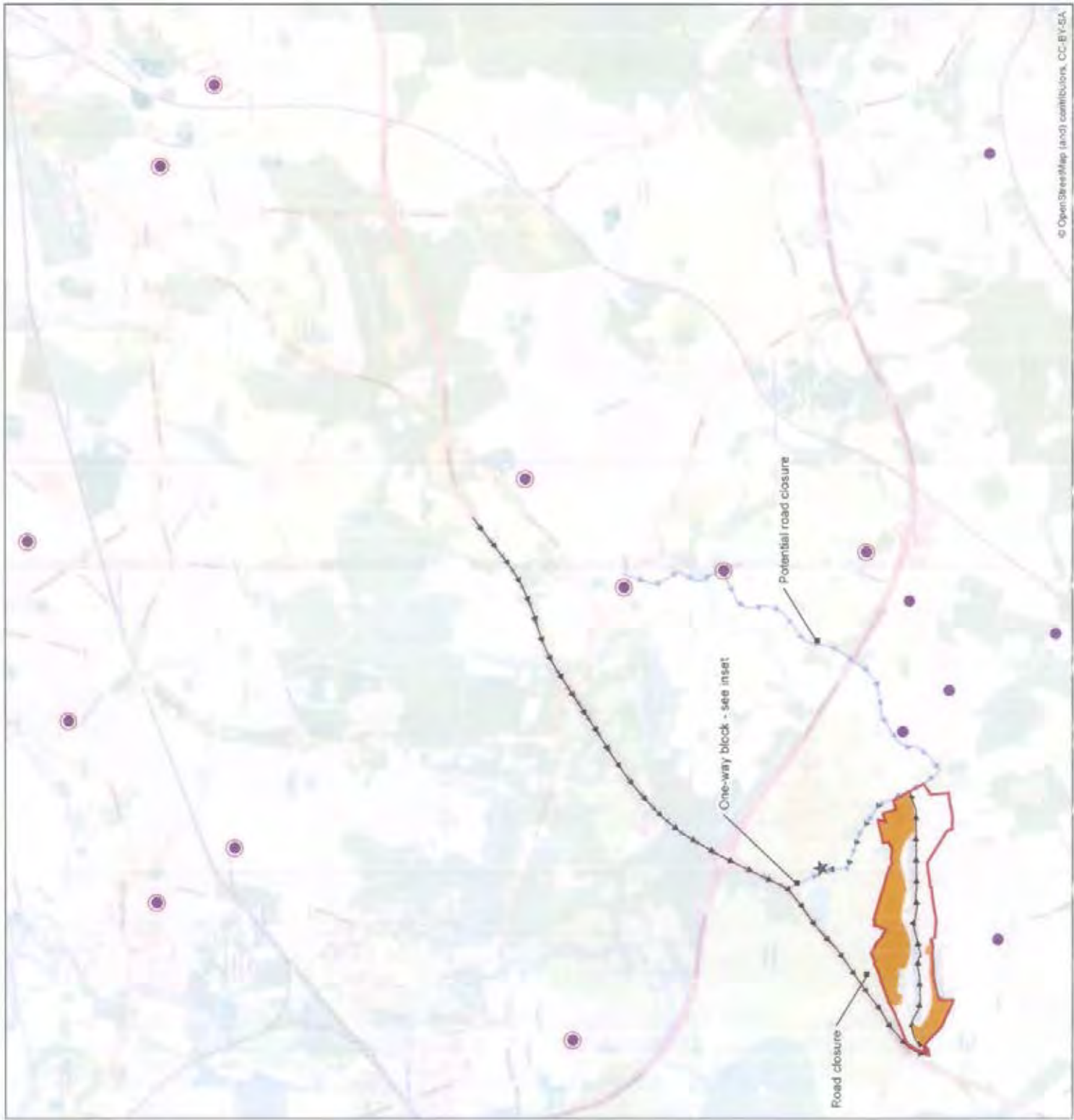
Ecological Planning & Research

CLIENT: Wisley Property Investments

PROJECT: Wisley Airfield

DATE: October 2015

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P14007



Appendix 4

Details of International Sites

COUNTY: SURREY SITE NAME: OCKHAM AND WISLEY COMMONS

BOROUGHS: ELMBRIDGE, GUILDFORD

Status: Site of Special Scientific Interest (SSSI) notified under Section 28 of the Wildlife and Countryside Act 1981.

Local Planning Authorities: ELMBRIDGE BOROUGH COUNCIL, Guildford Borough Council

National Grid References: TQ 070585, TQ 082585 Area: 269.6 (ha.) 666.2 (ac.)
TQ 084592, TQ 078595

Ordnance Survey Sheet 1:50,000: 187 1:10,000: TQ 05 NE

Date Notified (Under 1949 Act.): 1975 Date of Last Revision: -

Date Notified (Under 1981 Act): 1986 Date of Last Revision: -

Other Information:

The majority of Ockham & Wisley Commons SSSI is owned and managed by Surrey County Council as an Open Space. The site includes several areas of Common Land. The boundary of the site has been modified at renotification by several deletions and extensions. The lakes at Pains Hill and Silvermere are no longer part of this site.

Reasons for Notification:

This site consists of a large tract of heathland lying between the Mole and Wey Rivers near Cobham, containing areas of heath, bog, open water, secondary woodland and scrub. This variety of habitats supports a rich community of heathland plants and animals, including a large number of rare and local insects.

Lowland heaths have been a feature of the British landscape for several thousand years, but the area of heathland has been reduced steadily by land-use changes such as conversion to intensive agriculture, forestry or urban development. This loss has been particularly rapid this century, and 40% of heathland remaining in 1950 has now been destroyed. As their habitat is destroyed, the many specialised plants and animals which live on heathland have become increasingly rare. Since little heathland is still maintained by grazing, much of it is becoming overgrown with scrub and trees, a process which may be seen clearly at this site.

The site lies on Bagshot beds, which give rise to an acidic sandy soil supporting heath dominated by ling *Calluna vulgaris* and bell heather *Erica cinerea*, and in grassy areas by common bent grass *Agrostis capillaris* and wavy hair-grass *Deschampsia flexuosa*. Amongst these plants grow dwarf furze *Ulex minor*, petty whin *Genista anglica* and shepherd's cress *Teesdalia nudicaulis*. Animals found here include such local insects as the silver-studded blue butterfly *Plebejus argus* and the wood tiger beetle *Cicindela sylvatica*. In wet areas, where the sand is overlain by peat, the heath is dominated by ling, cross-leaved heath *Erica tetralix*, purple moor-grass *Molinia caerulea*, tufted hair-grass *Deschampsia cespitosa* and bog-moss *Sphagnum* spp. Also found here are royal fern

Osmunda regalis, lesser skullcap *Scutellaria minor*, meadow thistle *Cirsium dissectum* and creeping willow *Salix repens*, and the largest Surrey colonies of bog hairgrass *Deschampsia setacea* which is local in Britain and rare in Europe as a whole. Among the many local insects found here are bog bush-cricket *Metrioptera brachyptera* and a large robber fly *Asilus crabroniformis*.

Most of the heathland is very overgrown with bracken *Pteridium aquilinum* and invasive trees and shrubs; mainly silver birch *Betula pendula*, Scot's pine *Pinus sylvestris* and oak *Quercus robur*. In several parts of the site there are dense pine plantations which have replaced the heathland completely.

There are several areas of open water within the site, including Bolder Mere and a number of ponds and pools in the wet heathland. Plants growing around the water include several Surrey rarities including shoreweed *Littorella uniflora*, marsh St John's wort *Hypericum elodes* and lesser water-plantain *Baldellia ranunculoides*. Locally-distributed plants include needle spike-rush *Eleocharis acicularis* and pillwort *Pilularia globulifera*. Open water surrounded by heathland presents an ideal habitat for many dragonflies and damselflies (Odonata), and over 20 species have been recorded from the site which is thus of national importance for this group. They include the rare white-faced dragonfly *Leucorrhinia dubia*, the local hairy dragonfly *Brachytron pratense* and the ruddy darter *Sympetrum sanguineum*. The site also supports many other local and rare invertebrates. It is of national importance for true flies (Diptera); rare species include a bee fly *Thyridanthrax fenestratus* and a crane-fly *Tipula livida*, while the crane-fly *Limonia inusta* is among the many local species. A large number of local beetles (Coleoptera) are also found, including the ground beetle *Amara infima* and the weevil *Byctiscus populi*.

NATURA 2000

STANDARD DATA FORM

FOR SPECIAL PROTECTION AREAS (SPA)
FOR SITES ELIGIBLE FOR IDENTIFICATION AS SITES OF COMMUNITY IMPORTANCE (SCI)
AND
FOR SPECIAL AREAS OF CONSERVATION (SAC)

1. Site identification:

1.1 Type 1.2 Site code

1.3 Compilation date 1.4 Update

1.5 Relationship with other Natura 2000 sites

1.6 Respondent(s)

1.7 Site name

1.8 Site indication and designation classification dates

date site proposed as eligible as SCI	
date confirmed as SCI	
date site classified as SPA	200503
date site designated as SAC	

2. Site location:

2.1 Site centre location

longitude	latitude
00.44 18 W	51.22 18 N

2.2 Site area (ha) 2.3 Site length (km)

2.5 Administrative region

NUTS code	Region name	% cover
UK521	Berkshire	16.10%
UK561	Hampshire	30.65%
UK532	Surrey	53.25%

2.6 Biogeographic region

Alpine

Atlantic

Boreal

Continental

Macaronesia

Mediterranean

3. Ecological information:

3.1 Annex I habitats

Habitat types present on the site and the site assessment for them:

Annex I habitat	% cover	Representativity	Relative surface	Conservation status	Global assessment

3.2 Annex I birds and regularly occurring migratory birds not listed on Annex I

Code	Species name	Population				Site assessment			
		Resident	Migratory			Population	Conservation	Isolation	Global
			Breed	Winter	Stage				
A224	<i>Caprimulgus europaeus</i>		264 M			B		C	
A246	<i>Lullula arborva</i>		149 P			B		C	
A302	<i>Sylvia undata</i>		445 P			A		C	

4. Site description:

4.1 General site character

Habitat classes	% cover
Marine areas. Sea inlets	
Tidal rivers. Estuaries. Mud flats. Sand flats. Lagoons (including saltwork basins)	
Salt marshes. Salt pastures. Salt steppes	
Coastal sand dunes. Sand beaches. Machair	
Shingle. Sea cliffs. Islets	
Inland water bodies (standing water, running water)	0.6
Bogs. Marshes. Water fringed vegetation. Fens	4.9
Heath. Scrub. Maquis and garrigue. Phrygana	44.0
Dry grassland. Steppes	
Humid grassland. Mesophile grassland	
Alpine and sub-alpine grassland	
Improved grassland	
Other arable land	
Broad-leaved deciduous woodland	7.0
Coniferous woodland	34.2
Evergreen woodland	
Mixed woodland	3.6
Non-forest areas cultivated with woody plants (including orchards, groves, vineyards, dehesas)	
Inland rocks. Scree. Sands. Permanent snow and ice	
Other land (including towns, villages, roads, waste places, mines, industrial sites)	5.7
Total habitat cover	100%

4.1 Other site characteristics

Soil & geology:

Acidic. Alluvium. Clay. Nutrient-poor. Sand. Sedimentary

Geomorphology & landscape:

Lowland

4.2 Quality and importance

ARTICLE 4.1 QUALIFICATION (79/409/EEC)

During the breeding season the area regularly supports:

<i>Caprimulgus europaeus</i>	7.8% of the GB breeding population Count mean (RSPB 1998-99)
<i>Lullula arborea</i>	9.9% of the GB breeding population Count as at 1997 (Wotton & Gillings 2000)
<i>Sylvia undata</i>	27.8% of the GB breeding population Count as at 1999 (RSPB)

ARTICLE 4.2 QUALIFICATION (79/409/EEC)

4.3 Vulnerability

The mosaic of habitats which form the internationally important lowland heathland are dependent on active heathland management. Lack of grazing and other traditional management practices therefore pose a threat. Traditional management is being implemented through schemes such as Countryside Stewardship and Wildlife Enhancement Scheme. Development pressure on neighbouring land and the cumulative and indirect effects of neighbouring developments also pose a potential long-term problem. Housing developments are particularly relevant in this part of south-east England. This has been addressed through English Nature commenting on planning applications and providing input to structural and local plans. A strategic approach to accommodating development whilst ensuring compatibility with the Habitats Regulations is being addressed through the Thames Basin Heaths Area Based Delivery Project.

Tenure is a mixture of public bodies, private landowners, local authorities and non-governmental organisations. The Ministry of Defence are significant landowners/managers. At present the MoD land is used principally for firing ranges and military exercises (predominantly on foot). A significant proportion of the site is local authority-owned land. The local authority land is often designated as Public Open Space and is heavily used for informal recreation. For the smaller private ownerships, conservation management has been addressed through the Site Management Statement process.

5. Site protection status and relation with CORINE biotopes:

5.1 Designation types at national and regional level

Code	% cover
UK01 (NNR)	6.5
UK04 (SSSI/ASSI)	100.0



European Site Conservation Objectives for Thames Basin Heaths Special Protection Area Site Code: UK9012141

With regard to the SPA and the individual species and/or assemblage of species for which the site has been classified (the 'Qualifying Features' listed below), and subject to natural change;

Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring;

- The extent and distribution of the habitats of the qualifying features
- The structure and function of the habitats of the qualifying features
- The supporting processes on which the habitats of the qualifying features rely
- The population of each of the qualifying features, and,
- The distribution of the qualifying features within the site.

This document should be read in conjunction with the accompanying *Supplementary Advice* document, which provides more detailed advice and information to enable the application and achievement of the Objectives set out above.

Qualifying Features:

- A224 *Caprimulgus europaeus*; European nightjar (Breeding)
- A246 *Lullula arborea*; Woodlark (Breeding)
- A302 *Sylvia undata*; Dartford warbler (Breeding)

Explanatory Notes: European Site Conservation Objectives

These Conservation Objectives are those referred to in the Conservation of Habitats and Species Regulations 2010 (the "Habitats Regulations") and Article 6(3) of the Habitats Directive. They must be considered when a competent authority is required to make a 'Habitats Regulations Assessment' including an Appropriate Assessment, under the relevant parts of this legislation.

These Conservation Objectives and the accompanying Supplementary Advice (where this is available) will also provide a framework to inform the management of the European Site under the provisions of Articles 4(1) and 4(2) of the Wild Birds Directive, and the prevention of deterioration of habitats and significant disturbance of its qualifying features required under Article 6(2) of the Habitats Directive.

These Conservation Objectives are set for each bird feature for a [Special Protection Area \(SPA\)](#). Where the objectives are met, the site will be considered to exhibit a high degree of integrity and to be contributing to achieving the aims of the Wild Birds Directive.

Publication date: 30 June 2014 (Version 2). This document updates and replaces an earlier version dated 29 May 2012 to reflect Natural England's Strategic Standard on European Site Conservation Objectives 2014. Previous references to additional features identified in the 2001 UK SPA Review have also been removed.

Appendix 5

Visitor Questionnaire Survey Methodology and Results

Visitor Questionnaire Survey Methodology and Results

1.0 INTRODUCTION

- 1.1 Development is proposed at Wisley Airfield in Surrey by Wisley Property Investments Ltd. The site falls within 5km of Wisley & Ockham Commons Site of Special Scientific Interest (SSSI) a component patch of the Thames Basin Heaths Special Protection Area (SPA). The Thames Basin Heaths SPA support Internationally important populations of rare ground-nesting bird species; Woodlark *Lullula arborea*, Nightjar *Caprimulgus europaeus* and Dartford Warbler *Sylvia undata*. These species are vulnerable to disturbance resulting from recreational use of the heaths, particularly by walkers with free-roaming dogs.
- 1.2 Ecological Planning & Research Ltd (EPR) are therefore compiling information to assist the Competent Authority in undertaking a Habitats Regulations Assessment (HRA), including more detailed design information regarding the primary impact avoidance measure for the scheme- Suitable Alternative Natural Greenspace (SANG).
- 1.3 In order to understand whether a SANG at Wisley Airfield is likely to attract residents from new housing, or residents from existing housing in the nearby area, information on the patterns of visitor access to the European sites in question, and other greenspaces in the local area is required.
- 1.4 A visitor questionnaire survey of Ockham Common, the closest part of the SSSI to the proposed development site, was therefore undertaken to obtain fully up to date and site-specific quantitative and qualitative information regarding the current patterns of visitor access. Results will be compared to existing visitor survey information for this part of the SPA collected by Liley et al. (2005), Fearnley & Liley (2012), and ecology Solutions (2014).

2.0 VISITOR SURVEY METHODOLOGY

Background to Methodology

- 2.1 Questionnaire survey methodology followed the methodology developed from research on recreational impacts to heathland sites within the Thames Basin Heaths (Liley et al. 2005). This methodology is now widely used, such that data collected from different studies can be readily compared.
- 2.2 A range of standard questions were included within the questionnaire, including:
- Numbers of visitors and dogs to the site;
 - Whether they are local residents;
 - Where they have come from;
 - How often they visit;
 - Method of travel;
 - How long is spent on site;
 - Where they went on site;

- Activity on site;
- What they feel are the key features of the site; and
- Whether they visit other sites in the area and;
- Similar topics as above relating to alternative sites.

- 2.3 Four access points were selected for survey: the two main vehicular access points at Boldermere and Pond car park, and two pedestrian access points at Hatchford End and Hatchford Wood which connect to residential areas to the south of the site.
- 2.4 The survey approach and questionnaire were designed by EPR, and all survey work was carried out by Marketing Means, an independent market research company.
- 2.5 All survey work involved structured liaison with interviewee(s), utilising a standard set of questions (**Annex 1**). Maps were used to aid interviews and to ensure robust data was obtained. Visitors were asked to annotate on a map the route they have taken during their visit, which allowed subsequent analysis of recreational pressure.

Survey Effort and Timing

- 2.6 Visitors were interviewed as they exited through the access points in order to obtain information about the completed visit, however counts of people and dogs entering and exiting were also taken to obtain information on total visitation to the site. Groups of people were counted as one, with only one person interviewed per group. Children appearing under the age of 16 were not approached if alone.
- 2.7 The timing of surveys followed the methodology of Liley et al. (2005):

Morning Survey Work =	07:00-09:00 and 10:00-12:00
Afternoon Survey Work =	13:00-15:00 and 17:00-19:00

- 2.8 Survey work was completed between Friday 3rd July and Monday 6th July, with 4 two-hour surveys per day (as detailed above) completed at access points 1,2 and 3 on the Friday and Saturday and another 4 two-hour surveys completed per day at access point 4 on Sunday and Monday.

3.0 VISITOR SURVEY RESULTS

- 3.1 **Table A1** below provides a summary of the most common responses given during the interviews, to give an indication of the typical patterns of recreation within these open spaces local to Wisley. The weather was very fair for the survey period, with 91 surveys carried out in sunshine and 3 surveys carried out in cloudy weather conditions.

Table A1: Visitor Survey Results Summary.

Question	Answer summaries
1. How many adults and children are present in your group, including yourself?	Children 7 Adults 133 (100 aged 19-59 and 33 aged 60+)
2. How many dogs have you taken for this visit?	111 total dogs (90% of visitors had dogs, 66% had 1 dog, 21% had 2 dogs)
3. How did you get to this site today?	Car/Van (91%)
4. Is this your normal mode of transport?	Yes (100%)
5. Can you give the postcode of where you travelled from to visit this site?	Used to calculate visitor origins and travel distance
6. Are you a local resident, day visitor, overnight visitor, other?	Local Resident (71%)
7. What activity did you take part in?	Dog Walking (89%)
8. How often do you visit this site?	Once weekly (23%) 2/3 times per week (22%) Occasionally/sporadically (16%) Daily (15%)
9. What time of day, if any, do you normally visit the site?	Before 9am (28%) No particular time (24%) Between 9am and 12noon (17%)

Question	Answer summaries
10. What time of year, if any, do you normally visit the site?	All times of year (51%) Summer (40%)
11. Do you always use this access point?	Yes (86%)
12. Where did you go when you were on the site? (average, maximum and minimum distances calculated from mapped routes)	Average 2.9km, Maximum 4.6km Minimum 0.7km
13. Did anything influence the route you took?	Weather (37%) Time available (36%)
14. Was your route today similar to other visits?	Yes (89%)
15. How long were you on this site for?	30 mins to 1 hour (65%)
16. If you have a dog/s, was it/ were they let off the lead?	Yes (83%)
17. Did you or your dogs go off the main footpaths?	People: mostly on main footpaths (73%) People: mostly off main footpaths (16%) Dogs: mostly on main footpaths (36%) Dogs: mostly off main footpaths (25%)
18. What features draw you to this site?	Ability to let dog off lead (56%) Good car parking (54%) It's close to where I live (44%)

Question	Answer summaries
	<p>Length and variety of paths/tracks (36%)</p> <p>Look and feel of the site (32%)</p>
19. Do you visit any other open spaces for the same recreational purpose?	<p>Yes (53%)</p> <p>No (45%)</p>
20. If yes, could you tell us the name of the <i>main alternative sites</i> (max 3) you visit, with a description of their location if not shown on map?	<p>Bookham Common (6%)</p> <p>Esher Common (6%)</p> <p>Sheepheas (North Downs) (6%)</p>
21. How often do you tend to visit these sites?	<p>2/3 times week (28%)</p> <p>Monthly (26%)</p>
22. How do you usually get there?	<p>Car/van (94%)</p>
23. How would you prefer to get there?	<p>Car/van (90%)</p>
24. What are your reasons for choosing this alternative site?	<p>Makes a change/for variety (30%)</p> <p>More convenient/it's closer (26%)</p> <p>Good car parking (20%)</p> <p>Ability to let dog off lead (16%)</p>
25. Would you use new open spaces if they were provided in the local area?	<p>Yes (53%)</p> <p>Yes, but only if - dog friendly (13%)</p>

Question	Answer summaries
	<ul style="list-style-type: none"> - had parking (13%) - it had the right features/character (8%) - close to home (7%) - large and open (5%) <p>No (1%)</p>

Annex 1
Visitor Survey Questionnaire

OCKHAM COMMON RECREATION STUDY

"Hello. I am carrying out a survey to find out about local patterns of recreation. I would be grateful if you could spare a few minutes to answer some multiple choice questions....."

Access point:	Date:
---------------	-------

Time?

Circle ONE only

7-9am	01
10-12noon	02
1-3pm	03
5-7pm	04

Weather conditions?

Circle ONE only

Sunshine and hot	01
Sunshine and showers	02
Cloudy	03
Cloud and showers	04
Heavy rain	05
Other (please specify)	06

[If interviewee is in a rush/will only answer a few questions, get answers to Qs with *.]

*** Q1.** How many people are present in your group, including yourself?

Give number of each age group

0-18	
19-59	
60+	

*** Q2.** How many dogs have you taken for this visit?

If none, mark 0

Number =	
----------	--

Q3. How did you get to this site today?

Circle ONE only

Walk	01
Car/van	02
Bus/coach	03
Bicycle	04
Motorbike	05
Horse	06
Other – specify:	07

Q4. How do you usually get to this site?

Circle ONE only

Walk	01
Car/van	02
Bus/coach	03
Bicycle	04
Motorbike	05
Horse	06
Other – specify:	07
First visit	08

* **Q5.** Can you give the postcode of where you travelled from to visit this site? *[this is one of the most important parts of the questionnaire, please make every effort to obtain and write down accurately and clearly- a postcode does not allow individual houses to be identified and postcodes will not be passed on to third parties]*

Postcode	
No postcode but precise location/road name is:	

* **Q6.** Are you...?

Circle ONE only

A local resident	01
A day visitor	02
An overnight/multiple night stay visitor	03
A professional dog walker	04
Other, specify:	05

* Q7. What activity did you take part in?

Circle those which apply the MOST

Dog walking	01
Walking	02
Bird watching/wildlife	03
Jogging/exercise	04
Horse riding	05
Cycling	06
Picnic	07
Visiting the cafe	08
Other- specify:	09

* Q8. How often do you visit this site?

Circle ONE only – choose closest answer

Daily	01
Two-three times a week	02
Once weekly	03
Two-three times a month	04
Once a month	05
Occasionally/sporadically	06
First visit	07 <i>skip to Q12</i>

Q9. What time of day, if any, do you normally visit for informal recreation?

Circle ONE only

Before 9am	01
Between 9am and 12noon	02
Between 12 and 2pm	03
Between 3 and 5pm	04
After 5pm	05
No particular time/varies	06

Q10. What time of year, if any, do you normally visit?

Circle ANY that apply (if circle 05, don't circle any others)

Winter –(Dec, Jan, Feb)	01
Spring – (March, April, May)	02
Summer – (June, July, Aug)	03

Autumn – (Sept, Oct, Nov)	04
Or... All times of year	05

Q11. Do you always use this access point at the start of your visit?

Circle ONE only

Yes	01
No	02
Not a regular visitor	03

* **Q12.** Where did you go during your visit? –

Draw neat path with arrows on MAP, mark START and FINISH points

Q13. Did anything influence the route you took today?

Circle ONE only

Weather	01
Time available	02
Muddy tracks/paths	03
Followed marked trail	04
Interest/focal features	05
Other people: took route towards other people	06
Other people: took route away from other people	07
Other: (specify below)	08

Q14. Was your route today similar to other visits?

Yes	01
No, longer than normal	02
No, shorter than normal	03
Route varies on each visit	04

Q15. How long was your visit?

Circle ONE only

Less than 30 mins	01
30 mins – 1 hour	02
Over an hour	03

Q16. If you have a dog/s, was it/ were they let off the lead?

Circle ONE only

Yes	01
No	02
Don't have dogs	03

Q17. Did you (and/or people/dogs with you) go off the main footpaths during your visit today, or did you stay on them all the time?

Circle ANY that apply

People: mostly on main footpaths	01
People: mostly off main footpaths	02
People: more or less equal	03
Dog/s: mostly on main footpaths	04
Dog/s: mostly off main footpaths	05
Dog/s: more or less equal	06

*** Q18.** What features draw you to this site?

Circle those that MOST apply

Ability to let dog off the lead	01
It's close to where I live (easy to reach)	02
Good car parking close by	03
The look and feel of this site	04
Length & variety of tracks/paths available	05
Range of habitats & landscapes (variation in countryside e.g. grassland, woodland etc.)	06
Dry, well maintained paths	07
Diversity of wildlife	08
Signs or information boards giving an explanation of features of interest	09
Well placed seating	10
Clearly marked routes	11
Café/pub nearby	12
Peacefulness	13
Feel safe	14
Other (specify below):	15

* Q19. Do you visit any other open spaces regularly for the same purpose?

Circle ONE only

Yes	01
No	02
Don't know	03

Q20. If yes, could you tell us the name of the **main alternative sites (max 3)** you visit, with a description of their location?

1.....

2.....

3.....

Q21. How often do you tend to visit these sites? (if varies state for *main alternative site*)

Circle ONE only – choose closest answer

Daily	01
Two-three times a week	02
Once weekly	03
Monthly	04
Occasionally/sporadically	05

Q22. How do you usually travel to these sites?

Circle ONE only

Walk	01
Car/van	02
Bus/coach	03
Bicycle	04
Motorbike	05
Horse	06
Other – specify:	07

Q23. What is your preferred method of travel?

Circle ONE only

Walk	01
Car/van	02

Bus/coach	03
Bicycle	04
Motorbike	05
Horse	06
Other – specify:	07

* Q24. What makes you visit other sites instead of this site?

Circle those that MOST apply

Makes a change/for variety	01
More convenient/it's close to where I live/easy to reach	02
Good car parking	03
Ability to let dog off the lead	04
Dog friendly	05
The look and feel	06
Length & variety of tracks/paths available	07
Range of habitats & landscapes (variation in countryside e.g. grassland, woodland etc.)	08
Dry, well maintained paths	09
Diversity of wildlife	10
Signs or information boards giving an explanation of features of interest	11
Well placed seating	12
Clearly marked routes	13
No urban intrusion	14
Peacefulness	15
Feel safe	16
Other (specify below):	17
Don't visit other sites	18

* Q25. Would you visit new open spaces if they were provided in the local area?

Yes	01
Yes, but only if close to home	02
Yes, but only if it had parking	03

Yes, but only if large and open	04
Yes, but only if dog friendly	05
Yes, but only if it had the right features/character	06
No	07
Other comments:	08

Appendix 6

Predicted HGV Movements during Construction

Table A6 below provides further information regarding the number of predicted HGV movements on and offsite during construction, based on the build rate reported in the ES and likely construction traffic. This information has been collated by WSP, with amendments made by EPR to reflect changes in SANG design and delivery.

Table A6: Predicted HGV movements per day on and offsite during construction.

On/Offsite	Year	Housing Delivery (incl. C2 Uses) ¹	Cum. Min. SANG Requirement (ha) ² (excl. C2 Uses)	SANG Phase	Cum. SANG Area Delivered (ha)	HGV traffic (two-way) per day ³	
						West of Elm Corner ⁴	East of Elm Corner ⁴
Onsite	2016/2018	-	-	Phase 1 (first occupation 2018)	38.7	60	60
	2018/2019	75	1.8			38	38
	2019/2020	135	5.0			38	38
	2020/2021	167	9.0			38	38
	2021/2022	220	14.3			32	16
	2022/2023	158	18.1			32	16
	2023/2024	205	23.0			22	12
	2024/2025	224	28.4			22	12
	2025/2026	209	33.4	Phase 2	22	12	
	2026/2027	181	37.8	Phase 3	40.8	22	12
	2027/2028	208	42.8		49.2	22	6
	2028/2029	134	46.0	Phase 4	49.9	22	6
2029/2030	152	49.6	22			6	
Typical off-site	2016-2030					16	16

¹ From Wisley Airfield Planning Statement.

² Based on provision rate of 10.35ha/1,000 standard, before SANG discounting.

³ Section 14.4 of the Wisley Airfield Environmental Statement.

⁴ Predicted movements west and east of a hypothetical vertical axis taken through Elm Corner, to indicate the variations in HGV movements in the eastern and western parts of the site during construction. Point of exit from the site will be influenced by the construction phase.

Appendix 7

SANG Habitat Creation: Methods and Timescales

SANG Habitat Creation: Methods and Timescales

1. Introduction

- 1.1 This note sets out evidence regarding the methodologies and timescales involved in creating semi-natural habitats of the type that are proposed in the Wisley Airfield SANG, to demonstrate that suitably mature and attractive habitats can be created within the proposed timeframe of two growing seasons prior to first occupation.
- 1.2 Since mature woody stock can be purchased and planted on site (with stock specifications agreed with GBC and NE), the main factor limiting the timescales within which an acceptably mature and attractive SANG can be created is the time required to create new semi-natural wildflower grassland on ex-arable habitat. The information provided below therefore focusses on methods and timescales for grassland creation.
- 1.3 This evidence has been compiled in response to Natural England's request for further information during pre-application consultations.

2. Objectives for Grassland Creation & Published Information Regarding Timescales

- 2.1 In terms of objectives for creating a suitably mature grassland to support an effective SANG, the grassland sward would need to be suitably established to withstand trampling and erosion and would need to have a predominance of flowering plants and minor presence of undesirable weeds (such as creeping thistle, ragwort, dock) to provide an attractive appearance and a sward that people and dogs can happily walk through.
- 2.2 Extensive information exists on the factors influencing the speed and success of grassland creation schemes. Soil fertility and methods for reducing fertility, if required, alongside the selection of appropriate seed mixes and seed-bed preparation will require careful research prior to SANG implementation (Crofts & Jefferson, 1999; MacKintosh & Christal, 2015), with detailed proposals for the creation of SANG habitats set out at the Reserved Matters stage.
- 2.3 In terms of determining, for the purposes of the outline planning application, what can be achieved within two growing seasons, many sources describe grassland creation and establishment over the course of two growing seasons, with reference to grassland establishment and close management by cutting in the first growing season to control the spread of undesirable species, and with management relaxed in the second growing season to comprise cutting following the flowering period:
 - *"Careful management is required during the first growing season to control competition from undesirable species and to encourage tillering and vigorous establishment of the sown sward. This is the priority in the first year, so flowers should not be expected until the second season."* (MacKintosh & Christal, 2015);

- *"For the first few years of its life your newly sown grassland will need some careful management to allow the wildflowers to grow, flower and set seed. The following management is recommended:*
 - ✧ *Control weeds- you should cut/top tall weeds such as docks and thistles several times a year for the first two years*
 - ✧ *The first year's growth- In the first year you will need to prevent seedlings from getting smothered by vigorous grass growth. When the new grassland grows to a height of 10-15cm it should be mown to a height of about 5cm, and the grass cuttings removed. You may need to do this several times over the year*
 - ✧ *The next few years- You should be aiming to allow the sward to 'fill-out' i.e. create a good coverage of wildflowers and grasses. The grassland should be cut (or grazed) once a year after it has flowered and the seed has dropped (late July – August)." (Buglife, 2012)*
- *"During the first year, remove any annual and perennial weeds that appear. The year after the first sowing, the young meadow should be mown every time the vegetation height reaches 10-15cm. This is likely to mean cutting three or four times between spring and autumn depending on the fertility of the soil. Do not cut the meadow shorter than 5cm. Remove the cuttings and compost them. From the second year onwards, cut your meadow to a height of around 5cm after flowering (between late June and the end of August)." (Natural England, 2007)*
- *"After the first full season the sward should have thickened and it can be beneficial to allow it to flower and set seed before it is cut or grazed." (Natural England, 2010).*

- 2.4 The above extracts support the establishment of a suitably thickened sward with two growing seasons. Emorsgate seed, a commercial wildflower seed supplier, advise that a newly established sward can be walked upon within 3-4 months of sowing, and within 18 months it would be suitably established to allow turf to be lifted (Emorsgate Seed, personal communication).
- 2.5 The above extracts also indicate that by the second growing season, close management of undesirable species can be relaxed such that forbs within the grassland can be allowed to flower. Following the second growing season therefore, the time at which the proposed Wisley SANG would be first opened to the public, the above evidence indicates that there would be a reduced presence of undesirable species and the presence of flowering wildflowers and grasses.
- 2.6 Walker et al. (2004) highlight St Catherines's Hill in Hampshire as an example of grassland creation, which after just 2 years closely resembled the reference NVC community. An additional site in Minsmere, Suffolk provides another example of grassland habitat creation on a former arable leading to establishment of 12 out of 16 sown species in less than 2 years.

- 2.7 A further example regarding the speed with which flowering plants appear in the sward is provided by Charles Flower (2008) regarding a grassland creation scheme at Friars Court, Clanfield, Oxfordshire: Sowing- 2003; Germination- spring 2003; Autumn 2003- seedlings appear; Establishment 2004- 15 species of wild flowers and all the grasses within the mix present; Establishment 2006- 18 species of wild flowers.

3. Habitat Creation Case Studies

Langley Mead SANG

- 3.1 Langley Mead SANG was created by EPR on behalf of the university of Reading as part of the Shinfield West (South of the M4 SDL) development, Wokingham, as well as other smaller developments in the area known as Cutbush Lane and The Manor
- 3.2 The Langley Mead SANG was created principally on land that was either in arable use or herb-poor pastures, all managed as part of a modern agricultural landscape. The flora and vegetation of these areas before habitat creation was not of any notable nature conservation interest.
- 3.3 Three main processes were carried out to begin the establishment of a more diverse range of habitats in the SANG fields:
- Bringing seeds to the (herb-poor) grasslands via green hay collected from herb-rich grasslands (from the BBOWT Moor Copse nature reserve west of Reading);
 - Yellow Rattle and Bird's Foot Trefoil seeds were sown into the grassland areas; and
 - A commercial seed mix based on National Vegetation Classification Type MG5 grassland was sown into the arable areas at an appropriate time of the year (autumn) when seed germination and seedling survival can be maximised (Spring is also suitable).
- 3.4 **Table 1** below provides photos detailing the progress of habitat creation at the Langley Mead SANG with associated timescales.

Table 1: Photographs of the Langley Mead SANG Habitat Creation.

	Pre-SANG June 2009 - Arable field.
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	<p>Pre-SANG June 2011 - Herb-poor permanent pasture.</p>
	<p>Pre-SANG June 2011 - Arable field.</p>
	<p>SANG 2015 - Previous arable field sown with wildflower seed late 2013.</p>
	<p>SANG 2015 - Previously species-poor improved grassland, harrowed and then species-rich green hay added from the Wildlife Trust's Moor Copse reserve.</p>

	<p>SANG 2015 - Previous arable field sown with wildflower seed late 2013.</p>
	<p>SANG 2014 – Arable field in 2013 then sown with wildflower grassland seed – shown here in flower for the first time in late Spring 2014.</p>
	<p>SANG 2014 – Arable field in 2013 then sown with wildflower grassland seed – shown here in flower for the first time in late Spring 2014.</p>

Dilly Lane SANG

- 3.5 Dilly Lane SANG (now referred to Queen Elizabeth II Fields) was created by EPR on behalf of Barratt Homes as part of the St Mary's Park development in Hartley Wintney.
- 3.6 The SANG was created principally on land that was in arable use, all managed as part of a modern agricultural landscape. The flora and vegetation of these areas before habitat creation was not of any notable nature conservation interest.
- 3.7 In two localised areas on the site topsoil was scraped to provide very infertile conditions for herb rich vegetation to prosper. The remainder of field was ploughed and a seed bed was prepared. In addition a broad spectrum herbicide was applied as required to control aggressive

weeds. A commercial grassland mix of native and nutrient competitive species was then sown into the field.

3.8 **Table 2** below provides photos detailing the progress of habitat creation at the Dilly Lane SANG with associated timescales.

Table 2: Photographs of the Dilly Lane SANG Habitat Creation.



Initial arable field 2009 (previously abandoned and as a result overgrown).



Initial arable field 2009.



Abandoned and overgrown arable field prior to SANG creation November 2010.



Arable field after ploughing in 2010.



Post sowing – 6 months growth. June 2011.



Previous arable field – 18 months after sowing, June 2012.

	<p>Previous arable field - 30 months post seeding, June 2013.</p>
	<p>Dilly Lane grassland, June 2013.</p>

Abbotswood

- 3.9 EPR implemented the habitat creation components of the Landscape Plan for the Abbotswood development in Romsey on behalf of the Abbotswood Consortium (Taylor Wimpey, Bellway and Bovis Homes).
- 3.10 Amenity grassland habitat was created from previously grazed pasture. Herbicide treatment was applied to the area prior to harrowing, then the ground was harrowed again post seeding. Hedgerow and tree planting was then undertaken.
- 3.11 **Table 3** below provides photos detailing the progress of habitat creation at Abbotswood with associated timescales.

Table 3: Photographs of the Abbotswood Habitat Creation.

	Abbotswood pre seeding, Feb 2012.
	Abbotswood 2012 post seeding.
	Abbotswood grassland post seeding, July 2014.
	Abbotswood post seeding, July 2014.

	<p>Abbotswood planting, Feb 2012.</p>
	<p>Abbotswood, May 2012.</p>
	<p>Abbotswood, May 2014.</p>

Edenbrook Country Park SANG

- 3.12 Edenbrook Country Park SANG was delivered alongside a Berkeley Homes development in Hart District. SANG construction works began in 2008 and were completed in 2014. The site was originally dominated by species-poor grassland, arable fields and pasture land. Habitat creation of rough grassland and meadows was undertaken at this site. The meadow was established within 1 year and was managed in subsequent years to promote regeneration and reduce nutrient levels for wildflowers to prosper.

4. References

Buglife (2012) *Wildflower-rich Grassland Creation*. B-lines Fact Sheet 3.

Charles Flower (2008) *Where have all the flowers gone? Restoring wild flowers to the garden and countryside*. Papadakis.

Crofts, A. & Jefferson, R. G (eds) (1999) *Grassland creation*. Chapter 11 of *Grass 1 – lowland grassland management handbook*, 2nd Edition. Natural England publication.

EPR (2012) *The Loddon Suitable Alternative Natural Greenspace (SANG) Revised Management Plan*. Report to University of Reading.

EPR (2013) *The Loddon Suitable Alternative Natural Greenspace (SANG) Environmental Management Plan (EMP), Incorporating a Management Plan Review*. Report to University of Reading.

MacKintosh, J. & Christal, A. (2015) *Using wildflower seed mixtures for grassland creation*. Information and Advisory Note Number 106. Scottish Natural Heritage.

Natural England (2007) *Wildflowers meadows: how to create one in your garden*.

Natural England (2010) *Arable reversion to species-rich grassland: early management of the new sward*. Natural England Technical Information Note TIN-68.

Walker, K. J., Stevens, P. A., Stevens, D. P., Mountford, J. O., Machester, S. J. & Pywell, R. F. (2004) *The restoration and re-creation of species-rich lowland grassland on land formerly managed for intensive agriculture in the UK*. *Biological Conservation* 119: 1-18.

Appendix 8

Ockham & Wisley Commons & Chatley Heath Visitor Guide and
Self-guided Trail, Surrey Wildlife Trust/Surrey County Council

OCKHAM & WISLEY COMMONS & CHATLEY HEATH



Visitor Guide and Self-guided Trail



SURREY
COUNTY COUNCIL

Ockham and Wisley Commons & Chatley Heath

Lowland heathland is an open landscape of heather with scattered scrub and isolated trees and supports many specialist heathland species of wildlife. Today Wisley and Ockham is an important refuge for many of these species due to the widespread loss of heathland in Southern England and English Nature has designated the Commons a Site of Special Scientific Interest.

The origins of heathland began about 6,000 years ago as people cleared woodland for farming. This caused the sandy soils of the area to become more acidic, as nutrients were leached away, until only heather plants and coarse grasses could survive. These areas were then used for rough grazing which prevented trees recolonising. This traditional management over thousands of years maintained the heathland landscape and was beneficial for wildlife. Acid-loving plants, numerous species of invertebrates, reptiles and some species of birds depend on heathland for their survival.

Over the last 200 years Surrey has lost 85% of its heathland, both to other land uses, like forestry and road development, and natural reversion to woodland. As grazing stopped the neglected heaths were invaded by trees and open heath quickly disappeared. Unfortunately the heathland wildlife, which had adapted to this specialised environment over thousands of years, could not adapt to such a sudden change in habitat and some species have declined rapidly as a result.

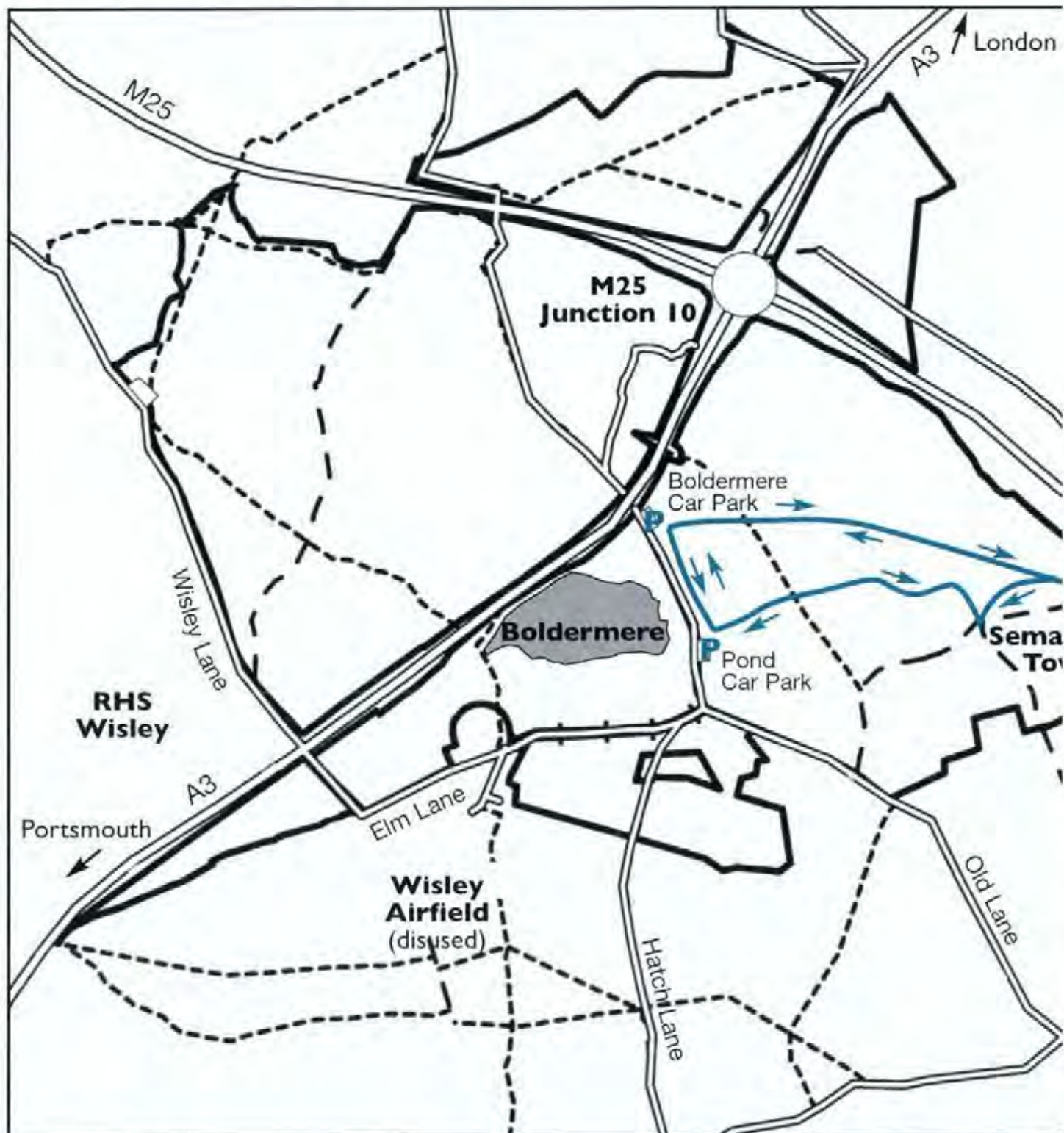
Heathland in the area is managed to enhance its wildlife value, particularly for the rare species found here. Invading scrub is removed, grazing has been reintroduced and former heathland areas previously converted to forestry plantations are being restored back to heathland. This habitat restoration has encouraged many rare heathland bird species to return to the Commons to breed.

In contrast to the open heathland areas there are large areas of magnificent broad-leaved woods on the site, such as Hatchford Woods. Native woodlands support a great variety of wildlife: birds like woodpeckers and warblers, as well as mammals, such as foxes and deer. Again traditional management, such as coppicing, is beneficial to a wide range of species. Coppicing has been introduced to manage the area known as Hunt's Copse. Non-native shrubs like rhododendron are being removed from across the Commons.

Owned by Surrey County Council this area is managed by Surrey Wildlife Trust

for nature conservation and public recreation. Everyone is welcome to explore the Commons via the extensive network of footpaths and horse rides.

Surrey Wildlife Trust is working with volunteers and the local community to maintain and enhance the wildlife value of the area. If you would like to help the area's wildlife please contact the Ranger direct.



For details of public transport in Surrey call Traveline 0870 608 2608 www.traveline.gov.uk

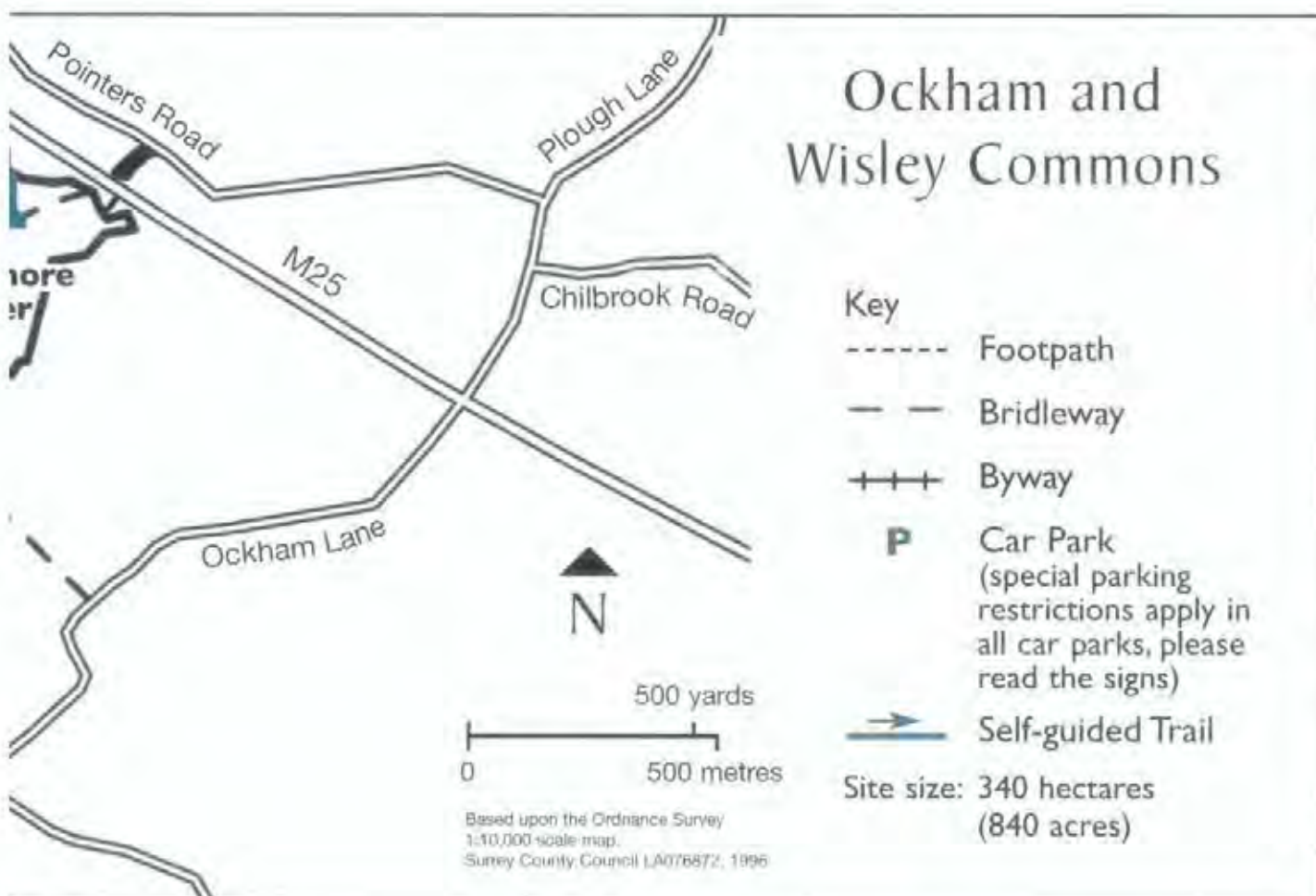
Self-guided Circular Trails

The Semaphore Tower is located on Chatley Heath. Built in 1822, the Tower was one of a line of semaphore stations between the Admiralty in London and Portsmouth naval base. Fully restored in 1989, it is now the only remaining Tower of the line.

Access to the Tower is available to interested groups by appointment only, also on advertised Open Days. For further information or to book a viewing please call 07894 660999.

Self-guided trails are waymarked from both car parks in Old Lane to the Tower. Both are along sandy tracks with no gates or stiles.

Follow the Blue Sailor waymarkers from Boldermere car park or the Red Sailor waymarkers from Pond car park; it will take about 20 minutes to reach the Tower. A path parallel to Old Lane links the red and blue trails to form a circular walk.



On both the BLUE and RED trails look for:

PINE AND BIRCH WOODLANDS

These areas show how much the countryside can change. These woodlands were once open heathland, but the heathland was planted up with Scots pine trees for their timber value. Although Scots pine is a native tree in Northern Britain, it was only introduced to Surrey around 1650. The planting up of heathland began during the time of the enclosures of common land. Ockham Common was subject to an enclosure award, taking it out of common land status in 1871. These woods have limited value for wildlife because they are dominated by one species of tree, the Scots pine, with very few native broad-leaved trees. Watch out for coal tits, the smallest of the tits, which feed on insects and particularly pine seeds. If you are really lucky you may see one of the woodland's most spectacular predators, the sparrowhawk. This bird of prey hunts small birds, like sparrows and tits, and has a preference for nesting in Scots pine.

It is intended to gradually increase the number of broad-leaved trees in the wood to improve its wildlife value. This will be achieved by felling some of the conifers, to allow trees like oak, birch and rowan more light and space, as well as to permit these native trees to set seed. Because old pines and standing dead trees are important habitats for insects and hole-nesting birds, like the great spotted woodpecker, they are retained wherever possible. Some areas of these woods adjacent to heathland maybe restored back to heath.

HEATHLAND

This specialised habitat still survives in the centre of the site, as trees have mainly colonised from the edge. An open landscape of heather with scattered scrubs and isolated trees, it is of immense importance for wildlife.

On the heath in summer watch out for dragonflies hunting small insects.

Dragonflies are fascinating, beautiful insects: they can fly at up to 30 mph and even their names are delightful, like the brilliant emerald. Look out for lizards basking in open, sunny spots amongst the heather.

SCRUB

Birds like the nightjar nest on the ground in mature heather areas and scrubby woodland edge habitats. They nest on the heath because their main food source is nocturnal insects like moths, which the nightjars hunt by sight over the open heath. You will see thick areas of trees on the heath which are deliberately managed for nightjars. Nightjars overwinter in Africa and return to breed on the heath in May, then after raising their young return to Africa at the end of August. While breeding on the Common they mark their territory with their unique eerie and mysterious 'churring' song.

(Please make a special effort to control your dog during the bird-nesting season, February-September, to reduce disturbance to ground-nesting birds.)

HEATHLAND RESTORATION

Heathland restoration is undertaken initially by tree clearance, then the remaining humus material that has built up under the trees is removed. Exposing the bare soil allows heather seedlings to germinate, often from seed that has lain dormant for up to 80 years. Restored heathland, with young heather plants and areas of bare ground, is an ideal habitat for woodlark. This bird, which is similar to a skylark, is an extremely scarce species, it was recorded here in 1960 and did not reappear to breed again at Ockham until 1995. This demonstrates that heathland restoration is vital for rare species as well as adding to a diminishing wildlife habitat.

Surrey Wildlife Trust is restoring this important wildlife habitat in areas where it was found in the past. Areas adjacent to the existing heath have been selected making it easier for species to recolonise. All of the area below the Tower, which was previously pine woodland, has been restored to heathland.

THE SEMAPHORE TOWER GARDEN

The original Tower garden now contains several picnic tables from where you can view the Tower. In this area the first occupant, Lieutenant Harries, planted vegetables and soft fruit trees, and kept pigs and chickens. In this remote location he, like his successors, relied on the garden for much of his food.

We hope you have enjoyed your visit. If you have any comments, the Countryside Ranger for this site can be contacted on 07970 094416.

Surrey Wildlife Trust's mission is to protect and regenerate Surrey's wildlife.

The Trust is a registered charity (No: 208123). In partnership with Surrey County Council we currently manage 80 sites covering over 4,000 hectares of land, for nature conservation and public enjoyment. This includes the Trust's own nature reserves, SCC's countryside estate and land managed under access agreements with private landowners. A further 3,200 hectares are managed under a grazing contract with the MOD, making Surrey Wildlife Trust, in terms of land managed, the largest Wildlife Trust in England.

Surrey Wildlife Trust

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Visit our website: www.surreywildlifetrust.org



Appendix 9

SPA User Behavioural Change Strategy

Wisley Airfield SAMM-plus Wardening provision

SPA User Behavioural Change Strategy

Background

Wisley Property Investments Ltd is promoting Wisley Airfield for development as a new sustainable settlement to help meet Guildford Borough's urgent housing need. With a housing affordability ratio of 11x (average lower quartile earnings to average lower quartile house prices) Guildford is one of the least affordable places to live in the country. This identified obstacle to economic growth is a major hurdle to skilled / graduate employee recruitment / retention and is a priority of the M3 Enterprise LEP. Wisley Airfield is an allocated housing site in Guildford's emerging Local Plan.

Wisley Airfield's proposed housing development is located between 400m and 5km from the Thames Basin Heaths Special Protection Area ("SPA"), and as such impact avoidance and mitigation is required to address a potential increase in visitor pressure on the SPA, particularly with regard to the exercising of dogs off the lead and the associated risk of disturbance to the internationally protected ground nesting birds for which the SPA is designated.

It is recognised that the SPA area is open access land, as is identified on the 1:25k Ordnance Survey mapping, and as such the public cannot be prevented from entering the SPA. Accordingly the Wisley Airfield SAMM-plus Strategy and associated financial contribution to be secured through a s 106 is intended to promote the preferential use of the Wisley Airfield SANG by the public, and to better manage behaviours on the SPA to seek to reduce existing and future visitor impacts on the protected species.

Wardening

The development will fund, and a delivery partner (such as for example a local wildlife trust or community interest company) will deliver, wardening services. This function will have an average resource requirement of 1.5 FTE across the year and across the in perpetuity period, and will have a range of duties depending on the stage of the project, as articulated in the *Wisley Airfield SANG Management and SAMM Plus Strategy Scope of Wardening Provision* document.

The wardening resource will have or receive training in appropriate background knowledge regarding the local ecology and natural features of the SPA, and have relevant experience of or receive training in positive public engagement and behavioural change initiatives drawing upon research by Edwards & Knight (2006), SIRC (2008), Jenkinson (2011) and Hampshire Country Council (HCC, undated) (research described further below).

As a priority, the following will be delivered as a 'minimum standard' for the SPA wardening service (although will be subject to iterative review and modification, in agreement with Natural England)

- A wardening patrol service at peak visitor hours, being 7-9am and 5-7pm inclusive between Monday and Friday, and between 9am and 5pm on Saturday and Sunday, during the spring/summer, with times adjusted in the winter to reflect daylight hours but to maintain a daily warden presence on site;
- This resource will support and implement the behavioural change initiatives set out below to a minimum level of service.

Behavioural Change Initiatives

A body of research exists regarding the behavioural psychology of dog walkers (Edwards & Knight, 2006; SIRC, 2008; Jenkinson, 2011; HCC, undated).

This research highlights a lack of knowledge and awareness regarding aspects of expected behaviour when walking a dog in a particular location, such that the majority of users do not intentionally fail to comply with onsite requests.

SIRC (2008) state: *"the language used to communicate with dog walkers needs to be consistent and clearly state what action is required. Signage and information is often negative, site managers should work in partnership with HCC to design signage that is more positive and explanatory. Signage should be well managed and responsive"*.

HCC have drawn upon this work and the work of Edwards & Knight (2006) to suggest an approach to securing desired behaviours referred to in their guidance note as 'eights steps to change' (HCC, undated); these principles can be translated into the following:

- Step 1** Identify the problem
- Step 2** Identify the desired outcome
- Step 3** Identify the desired behaviour to achieve the outcome
- Step 4** Adapt site management or other practice to help change behaviour
- Step 5** Communicate to users what the desired behaviour is and why
- Step 6** Consider the wider consequences of any changes
- Step 7** Evaluate whether changes implemented have successfully altered behaviour
- Step 8** The last resort – consider legal enforcement to achieve desired outcome

This accords with management recommendations arising from Jenkinson (2011):

- Restrictive management approaches on their own are unlikely to be met with success, and should be used as a last resort;

- Access management requests should be communicated in a positive, engaging and constructive way, and through the provision of interpretation and signage that is up-to-date, clearly sets out the desired behaviour, the reason for requiring the desired behaviour, the time period during which the desired behaviour is required, and the alternative locations provided to allow continuation of the alternative behaviour; and
- Messages about desired behaviours should be communicated using multiple approaches, varied in terms of both format and source of delivery, and be tested with the end-audience before issue, with opportunities for feedback taken as part of ongoing review and improvement of the content and form of communications.

This body of research should be drawn upon to maximise the effectiveness of an ongoing campaign to achieve the outcomes set out below, with two key principles functioning at the core 1) ensure a positive message at all times; 2) convey messages that help dog owners to obtain the primary experiences that they seek, either on site or elsewhere, ensuring that the health and wellbeing of their dog is maximised:

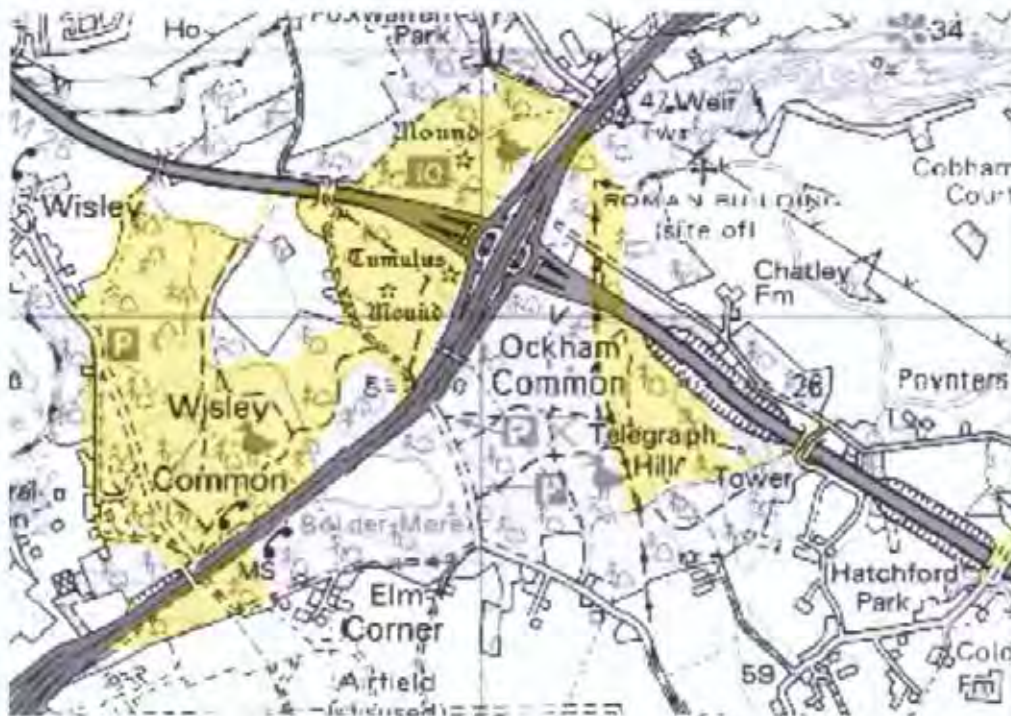
- Achieve desirable recreational behaviours within the SPA, specifically dog walking on the lead during the bird nesting season, supported by positive public engagement via the following means:
 - Wardening patrols on the SPA and direct liaison with the public to encourage use of the lead and raise awareness of this strategy's key messages;
 - An education programme to the general public, including website, social and local media channels, and liaison with local schools, access groups (e.g. local dog walkers, BHS, ramblers) as to the importance of the SPA, its protected species and promoted off lead restrictions during the bird nesting season, and the benefits to dogs, owners and other users of complying with onsite access requests;
 - Support of the above measures by use of posters, leaflets and advertising/ information boards within the development and at appropriate SPA access points, to be refreshed and update on a regular basis;
 - Creation of a local dog walking community, by way of ongoing public liaison and organised dog walking/dog-themed events, that supports identified desirable behaviours and responsible recreation and help achieve peer-to-peer engagement and onsite policing.
- Encourage use of the Wisley Airfield SANG as an alternative dog off lead walking venue via the above wardening efforts and educational provisions, specifically promoting the following features that are likely to be attractive to dog walkers:
 - A range of all weather surfaced rural traffic free walking loops of varying lengths offering walks ranging from 30 minutes to several hours;
 - Extensive meadow environment providing a safe and attractive location to walk dogs off the lead and for dogs to safely roam widely and freely;
 - Features for dogs to have fun including large area suitable for games and ball/frisbee throwing and several ponds for dogs to cool off and swim;
 - Easy vehicle access from the A3 and free parking (subject to anti-commuting management restrictions);

- A variety of attractive and mature habitats providing varied interest for dogs and their owners;
- A destination viewpoint feature;
- Many seating and picnic areas;
- Wild foraging opportunities.

This behavioural change strategy would benefit from the open access land initiative described below, which would act to provide a means for 'hard' enforcement as the last step in achieving desired behaviours on the SPA.

Open Access Land Initiative

Natural England identify the following areas marked yellow as CRoW Access land, however Ordnance Survey 1:25,000 identifies the whole of the Wisley and Ockham Common Area as Open Access Land.



<https://www.gov.uk/guidance/open-access-land-management-rights-and-responsibilities> identifies that on open access land "There is a general rule that visitors using their open access rights must keep dogs on a short lead of no more than 2 metres between 1 March and 31 July each year (except in the coastal margin) and at all times in the vicinity of livestock."

There is an opportunity for SPA landowners/managers to introduce sanctions available under the CRoW Act 2000 to support enforcement of the above access restrictions across the Wisley and Ockham Open Access Land, or failing that for such access restrictions to be enforced by other means, as agreed with NE/GBC. The CRoW Act restrictions, subject to the discretion of those implementing the restrictions, allow those users choosing not to comply with dog on lead requests to be viewed as trespassers and be evicted for 72 hours.

The optimal means for enforcing access restrictions on the SPA are to be developed alongside development of the SANG Phase 1 and in advance of first housing occupation.

Further enforcement initiatives would be implemented as part of the Wisley Airfield SAMM-plus package. Therefore further allowance has been made within the SAMM costing assessment to facilitate enforcement action, as and when required, and to record incidents where enforcement action is taken.

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Appendix 10

Wisley and Ockham Warden Role Profile

Wisley Airfield SANG Management and SAMM Plus Strategy

Scope of Wardening Provision

Introduction

Wisley Property Investments intends to fund the provision of a wardening capability in support of its TBH SPA Impact Avoidance Strategy. It intends to carry this out either directly through a Community Interest Company, or by contracting the provision from a suitable provider such as a Wildlife Trust.

The purpose of the wardening will be to effect the proper management of the Wisley Airfield SANG, and encourage the establishment and maintenance of patterns of behaviours of new residents at Wisley airfield and to the SPA / PROW existing visitor cohort. The provision will also assist with the proper management of the SPA, including assistance with education and improvement works.

The information provided below is intended to provide a starting point for defining the scope of the warden provision, however it is intended that the warden role profile and funding requirements be developed in consultation with Guildford Borough Council, Natural England (including the TBH SAMM Project lead), SPA land manager Surrey Wildlife Trust, and with potential service providers.

Principle Wardening Activities

In conjunction with the development team during construction of the new sustainable community, and thereafter in conjunction with community bodies such as the Community Land Trust and / or the Parish Council, Registered Providers of affordable housing, Guildford Borough Council housing and Gypsy & Traveller Liaison officers, neighbouring stakeholders such as RHS Wisley and Surrey Wildlife Trust, the on-site education and other service providers to coordinate and carry out management activity of the SANG and other targeted initiatives on the SANG and SPA, alongside or as part of the behavioural change strategy set out at **Appendix 9**, including (but not exclusively).

- The maintenance repair and periodic renewal of the physical infrastructure of the SANG, including ensuring the success of the planting strategy. To include coordination of contractors where appropriate, or carrying out of ranger activities personally;
- Promoting the use of the SANG to on-site residents, and also to the wider public community;
- Providing public engagement, guiding and educational activities/initiatives to include (for example):
 - Guided dog walks to establish patterns of dog walking behaviours in the SANG and SPA-avoiding routes;
 - Maintenance of a SANG-promoting and SPA-educating online offer, potentially in conjunction with SWT.

- Production and maintenance of leaflets, posters, events, campaigns, workshops, educational events, clubs and societies and other promotion of awareness of wildlife and countryside issues generally, and in particular relating to the SANG and SPA.
- Potential to promote wider wildlife diversity initiatives such as "wild garden" exemplar demonstration gardens in common areas scaled to typical unit house garden dimensions. Regular manning of an onsite physical warden touchdown point, potentially in cooperation with police community liaison staff. Maintenance of information boards and "visitor centre" information provision in e.g. village centre café and/or other appropriate locations;
- Encouraging appropriate behaviours on the SPA (e.g. dogs on leads in the SPA in bird nesting season, poop scooping, etc.) by means of initiatives such as mounting patrols of frequently used paths and relevant areas, and working with existing rangers and wardens (including those employed by the TBH SAMM Project) to provide consistent messages to SPA visitors;
- Enforcing unwanted behaviours on the SPA where necessary, and as a last resort to positive engagement;
- Engaging with the public away from the development site to increase awareness regarding the new SANG and other non-SPA recreational areas;
- Promoting, organising and leading the provision of volunteer labour to assist with the appropriate management and improvement of the SANG, and potentially the SPA;
- Providing input to the targeted design and implementation of onsite access and habitat management measures, for example redesigning the walking routes promoted onsite to avoid the most sensitive ground nesting bird areas, implementing a dog zoning policy within the site, installation of temporary fencing to prevent formation of desire lines, strategic habitat management to dissuade the formation of unwanted desire lines and input to other ongoing site management activities that are most likely to achieve the desired access management outcomes and responsible behaviour;
- Monitoring the use of the SANG and SPA, through maintenance of an access incident log and monitoring of visitor access following a methodology to be agreed with Natural England; and
- Assisting with, and/or carrying out ecological and other survey work, including monitoring of vegetation in specific air quality affected exceedance areas within the SPA / SSSI through NVC surveys carried out during the summer months in the years 2031 (i.e. at completion of the Wisley development) and 2036 (5 years after completion).

Likely Extent of Wardening Provision

It is likely that the wardening activity will cross several competencies, and that these will evolve as the community and SANG progress and become fully established.

1. Initial phase - project management and place-making role. Strong IT and coordination skills to liaise with contractors constructing the housing scheme and the SANG phases, and establish new patterns of behaviour with new and existing residents;
2. Establishment phase – strong educational and interpersonal skills to establish interest in wildlife issues, lead guided dog walks, deliver talks in schools and to community groups (eg periodic lectures, workshops or seminars in the community hall or parish room), assist with the establishment of volunteer groups. Continue to manage multi-channel behavioural campaigns including signage, posters, leaflets, online website forum, etc.; and
3. Maintenance and ongoing improvement phase – as per 2 above, but a long- term role established in the community. An element of ranger competencies will be required for this role, carrying out hands on maintenance and physical works, on the SANG, and potentially in support of the wider SPA management in conjunction with SWT.

Although the hours of work will to some extent be flexible, and will evolve through the lifetime of the project, there will be key times where consistent warden presence is required. For example daily (including weekend) patrolling on the SPA will be required (as a minimum service provision) during the spring and summer timed to coincide with peak periods of visitor access (7-9am and 5-7pm inclusive between Monday and Friday, and between 9am and 5pm on Saturday and Sunday; with times adjusted in the winter to reflect daylight hours but to maintain a daily warden presence on site) and focussed on key areas that are subject to the greatest visitor pressure and/or are most sensitive to visitor access.

It is likely that a level of flexibility will be required for the role, and it may be resourced by more than one individual, particularly as the scheme evolves. Personnel with particular skills may be deployed to the role on a part-time basis as appropriate to deliver the mix of skills and competencies required, but consistent management of the overarching role will be required throughout, which will need to complement existing TBH SAMP Project warden provision through close liaison with TBH SAMP Project personnel. The role will also require close liaison with existing SPA land managers, SWT.

The wardening provision is therefore not envisaged to necessarily be a conventional 9-5, 5 days per week role, and it is likely that the role will require flexible working to cover peak periods of activity such as weekends, and some evening activity may be required, particularly in the educational aspects of the role. The table below sets out the anticipated hours required for completion of key warden tasks, taken as an average/week, and with spring/summer and autumn/winter deviations noted. This indicates that across the year, and the in perpetuity period, an average of 1.5 Full Time Employees (FTEs) is likely to be required, taking into account a proportional seasonal contingency and an overall rounding up to buffer the time available to achieve the required service provision.

The wardening provision will be managed by the service provider (e.g. SWT or other contracted party) or by the Community Interest Company, with reference to the service level specification to be agreed in principle with Guildford Borough Council as a planning obligation, and varied from time to time as appropriate in conjunction with appropriate competent bodies such as for example GBC, SWT and/or Natural England.

Table 1: Seasonal wardening tasks and anticipated hours required per week for completion.

	Average Hours/Week	
	Spring/Summer	Autumn/Winter
Weekly SANG patrol, manage snagging list, coordinate contractors/volunteer labour, public engagement	10	15
Lead guided walks/organised events, av. 1 per month, half day to plan and lead	1	1
Maintain web-based advertising of events/campaigns and educational material via bespoke website and social media	2	1
Maintain non web-based advertising of events/campaigns and educational material via leaflets, adverts, signage, presence at community centre	2	1
Daily SPA public liaison patrol (Spring/Summer: 7-9am, 5-7pm Mon-Fri ; 9-5pm Sat/Sun. Autumn/Winter: 8-9am, 3-4pm Mon-Fri; 9-10am, 2-3pm Sat/Sun)	36	14
Maintain SPA access incident log/raise urgent issues with SWT	2	1
Winter review of SPA access incident log & MP, input to access management initiatives		2
<i>Total</i>	53	35
Add seasonal contingency 15%	60.95	40.25
No. FTE (37.5hrs/week)/season	1.41	1.07
No. FTE / year	1.24	
Total annual FTE provision with further buffer	1.5	



Wisley Airfield

Suitable Alternative Natural Greenspace – Outline Habitat Creation & Management Plan

Final Report
November 2015

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Wisley Airfield

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Wisley Airfield

Suitable Alternative Natural Greenspace - Outline Habitat Creation & Management Plan

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Wisley Airfield

Suitable Alternative Natural Greenspace - Outline Habitat Creation & Management Plan

1. INTRODUCTION

Brief

- 1.1 This document, prepared by Ecological Planning & Research Ltd (EPR) on behalf of Wisley Property Investments Ltd, is an Outline Habitat Creation and Management Plan for a proposed area of Suitable Alternative Natural Greenspace (SANG) on land at Wisley Airfield in Surrey. It forms the foundation for more detailed Landscape Ecological Management Plans that will be produced as individual SANG phases come forward.

Background

- 1.2 Wisley Property Investments have submitted an outline planning application for a residential-led development comprising up to 2,060 dwellings, 8 Gypsy and Traveller pitches, approximately 7,280m² of commercial employment space, circa 50ha of SANG and other supporting services and infrastructure. The provision of SANG as set out in this document is part of a strategy to avoid a likely significant effect on the Thames Basin Heaths Special Protection Area (SPA), as detailed in the 'Information for Habitats Regulations Assessment' produced in respect of the proposed development (EPR, 2015).

Planning Context with Respect to the Thames Basin Heaths

- 1.3 The Thames Basin Heaths SPA designation covers a number of heathland Sites of Special Scientific Interest (SSSIs) across the South East, that support three ground-nesting bird species listed on Annex 1 of the European Habitats Directive 1992 (transposed into UK legislation by the Conservation of Habitats and Species Regulations 2010 (as amended)). The UK has a European commitment to the protection and enhancement of populations of these birds, Nightjar *Caprimulgus europaeus*, Woodlark *Lullula arborea* and Dartford Warbler *Sylvia undata*. **Map 1** shows the location of the site in relation to the nearest areas of SPA heathland.
- 1.4 Research indicates that disturbance from public access, and predation of nests by domestic pets, represents a significant threat to protected ground-nesting bird species, and that their habitats are affected by eutrophication, trampling, increased risk of fire and flytipping (Underhill-Day, 2005). New residential development close to the heaths increases this threat by introducing more people and their pets. In light of this research, the Joint Strategic Partnership Board (JSPB) of affected local authorities in and around the Thames Basin Heaths SPA produced the 'Thames Basin Heaths Delivery Framework' (July 2009), which outlines means by which residential development can avoid a significant negative effect on these bird species.

- 1.5 Drawing upon, and consistent with, the Delivery Framework, Guildford Borough Council has produced its own Thames Basin Heaths SPA Avoidance Strategy 2009-2016 (2010).
- 1.6 These Strategies exclude development within 400m of heathland since certain effects, primarily cat predation, cannot be avoided within this zone. Between 400m and 5km, where effects associated with dog-walking are likely, avoidance measures can be applied, including the provision of SANG and Strategic Access Management and Monitoring (SAMM).
- 1.7 To be effective as an alternative recreational destination to the Thames Basin Heaths SPA for both new and existing residents, the SANG must present particular characteristics which are favoured by existing and potential users of the SPA. Natural England's 'Guidelines for the Creation of Suitable Alternative Natural Greenspace' describe characteristics that are required or desirable when creating a SANG, based on survey responses provided by visitors to the SPA (NE, 2008) – see **Appendix 1**.
- 1.8 The key requirement is that a SANG should be perceived as a 'natural' environment. This will usually mean that it should have a mixture of semi-natural habitats; be easily accessible by new and existing residents; and provide a range of walks across a network of naturally surfaced paths, including a circular walk of at least 2.3km. It should also be possible for dogs to be let off the lead for a substantial part of the walk throughout the year. **Section 3** of this document relates these requirements to the objectives of habitat creation and management within Wisley Airfield SANG.
- 1.9 The Delivery Framework and Natural England's SANG Quality Guidelines also require existing features of nature conservation value to be taken into account when designing SANGs. **Section 2** describes the features of nature conservation value within the proposed Wisley Airfield SANG, and **Section 3** outlines relevant aims and objectives for conserving these features.

2. ENVIRONMENTAL & ECOLOGICAL CONTEXT

Introduction

- 2.1 This section presents a summary of existing environmental and ecological baseline conditions within the site of the proposed SANG, as a means to inform its design and creation. Consideration of such contextual information will serve to promote the successful establishment of the proposed SANG, and the development of an assemblage of habitats that is at once naturalistic and sympathetic to the present and historic character of the broader landscape.

Physical Context

Location & Site Description

- 2.2 As appears in **Map 1**, the Application Site (hereafter the 'Site') occurs within the Borough of Guildford, to the north of the village of Ockham, equidistant between the urban settlements of Leatherhead to the east and Woking to the west.
- 2.3 The Wisley Airfield Site extends to 114.7 hectares and comprises areas of farmland, woodland and scrub, in addition to the vestiges of the disused airfield (**Map 2**). The broader landscape context comprises a mosaic of semi-rural residential areas, golf courses, woodland, and agricultural land. Ockham and Wisley Common, a component SSSI of the Thames Basin Heaths SPA, lies to the north. It is made up of nine separate units, categorised as dwarf shrub heath, standing open water and canals.
- 2.4 As represented in **Map 3**, the proposals for SANG provision at Wisley Airfield include delivery of two non-contiguous blocks of SANG, which respectively occur along the northern edge and at the south-western corner of the Site. These blocks are to be connected by two SANG Links, as well as other Green Infrastructure corridors.
- 2.5 At present, the larger area of proposed SANG, which occurs at the northern edge of the Site, largely comprises arable fields and extensive areas of hardstanding associated with the disused airfield. The smaller block of proposed SANG, in the south-western corner of the site, presently comprises mature woodland, improved grassland and scrub.

Geology and Soils

- 2.6 The majority of the Site, and the entire area of the larger block of proposed SANG, is underlain by sand of the Bagshot Formation. A plateau of superficial river terrace sand and gravel deposits outcrops over the centre of the Site.
- 2.7 The south-western corner of the smaller block of SANG is formed by a low-lying valley on a bedrock of London Clay, overlain by clay, silt, sand and gravel alluvium.
- 2.8 The prevalent soil type within the majority of the application site is river terrace drift of the 571w Hucklesbrook association, which is characterised as comprising 'well drained coarse

loamy and some sandy soils, commonly over gravel" (Soil Survey of England & Wales, 1983).

- 2.9 "Naturally very acid sandy over clayey and loamy over clayey soils" of the 643a Holidays Hill association occur toward the western extent of the application site.
- 2.10 In the absence of intensive anthropogenic intervention, these conditions would be expected to favour the development of neutral and acid grassland or deciduous woodland, with the potential for mixed wet and dry lowland heathland communities to develop within the more distinctly acid western area.

Topography

- 2.11 The Wisley Airfield runway was constructed on an east - west shallow ridge that gradually falls from approximately 45m AOD at its eastern end to 37m AOD in the west.
- 2.12 The landform within the northern SANG area falls away gradually toward the north and west. The western end of the runway was raised during its construction, creating slopes up to 1:6 in gradient, that fall towards Stratford Brook within the southern SANG area.

Hydrology

- 2.13 Stratford Brook, a tributary of the River Wey, flows from southeast to northwest through the southern SANG area, occupying a channel width of approximately 2-3m.
- 2.14 Land within the northern SANG area principally drains toward the north, via several drainage ditches. The southern SANG area drains to the Stratford Brook.

Landscape History

- 2.15 Analysis of historical maps indicates that the Site was in agricultural use in the early nineteenth century. The Land Utilisation Survey of 1936 represents almost the entire site - with the exception of a narrow band of meadowland along the course of Stratford Brook - as being in arable use, which indicates that the soils within the majority of the site have formerly been subject to cultivation.
- 2.16 The airfield was established in 1944 for the purpose of testing aircraft built at the nearby Brooklands factory. Although the runway and other extensive areas of associated hard-standing remain extant, most of the buildings associated with the airfield have been demolished since its closure in 1972, and much of the site has since been restored to arable use.
- 2.17 The site's former use as an airfield has resulted in a distinctively open and largely featureless landscape of large unbound fields.

Existing Habitats

Northern SANG Area

- 2.18 As represented on **Map 2**, the northern SANG area principally comprises large arable fields and extensive areas of hardstanding associated with the disused airfield.
- 2.19 A small block of linear woodland occurs at the northern boundary of the Site. This area is dominated by Oak and Silver Birch, with occasional Ash and Hazel. Bracken, Bramble and Ivy are locally dominant within the field and ground layers.
- 2.20 Blocks of scrub have developed in parts of the Site. These principally comprise Bramble; woody species such as Elder, Birch, Ash, Hazel and Willow, and ruderal herbs such as Nettle, Dock and Willowherb.
- 2.21 Part of the northern SANG area encompasses the Wisley Airfield Site of Nature Conservation (SNCI) which was designated for its notable floral assemblage.

Southern SANG Area

- 2.22 An area of wet woodland, dominated by Alder, Willow and Oak, occurs along the course of Stratford Brook. Occasional Hazel and Hawthorn shrubs form a rather sparse understorey; Ground Ivy and Nettle are locally abundant within the field layer. Himalayan Balsam, an invasive species, has been recorded along the brook's northern bank and is subject to an ongoing eradication programme.
- 2.23 The wet woodland succeeds to the north into improved species-poor grassland with developing scrub.
- 2.24 Further areas of arable land, scrub and tall ruderals occur toward the eastern extent of the southern SANG area.
- 2.25 Part of this SANG area also encompasses part of the Wisley Airfield SNCI.

Adjacent Habitats

- 2.26 Areas of broadleaved woodland on base-poor soils occur immediately to the north of the northern SANG area. Elm Corner Woods and Hunts Copse, both Sites of Nature Conservation Importance (SNCI), are respectively located towards the western and eastern ends of the northern boundary and are listed on Natural England's Provisional Ancient Woodland Inventory.
- 2.27 The species-rich grassland of Snakesfield, which is managed as a Local Nature Reserve by Surrey Wildlife Trust, also occurs immediately beyond the northern boundary, interjacent to these woodlands areas.

- 2.28 The southern SANG area is bordered to the south by linear woodland and pasture grassland.

Existing Wildlife

- 2.29 Survey work undertaken by RPS between 2013 and 2014 (and previously) identified the presence of several protected or otherwise notable species within the Site and its surrounds. EPR has subsequently undertaken further update survey work in 2015, as described within the main Ecology chapter of the Environmental Statement. A summary of the findings is provided below.

Birds

- 2.30 The Site as a whole offers a variety of suitable habitats for breeding and wintering birds. Forty-two bird species were identified in the course of breeding bird surveys, of which thirty-two species were determined to be breeding within the Site, including five species of conservation priority listed in Section 41 of the Natural Environment and Rural Communities Act 2006 (Dunnock, Linnet, Skylark, Song Thrush and Starling).
- 2.31 In terms of the general distribution of birds, the highest proportion of bird activity was recorded within the western half of the Site within the scattered scrub, and woodland habitat within and adjacent to the Site.
- 2.32 The key breeding bird species include a suite of farmland birds supported by farmland habitats (cultivated fields, scrub and surrounding hedgerows and woodland), including widespread but declining species such as Skylark, Whitethroat and Linnet.
- 2.33 Overall, the majority of the bird assemblage comprises common and widespread species associated with hedgerows, woodland, grassland and scrub.

Bats

- 2.34 During the activity transects carried out by RPS in 2013, at least six species of bat were recorded. A number of bat foraging areas and commuting routes were identified, associated with linear and boundary features (including woodland edges, grassland margins, tree avenues, hedgerows, scrub corridors and woodland). Bat activity was concentrated around linear features present near the site boundary with the highest number of bats recorded along the northern boundary of the Site (between the A3 and Elm Corner); along the southern boundary of the Site (adjacent to the watercourse and the riparian woodland); and on the north-eastern boundary (adjacent to Old Lane).
- 2.35 Moderate foraging activity by Common and Soprano Pipistrelles, and occasional passes by Noctule, Serotine, Leisler's Bat and Myotis bat species were recorded during bat activity surveys conducted within the Site.

Badgers

- 2.36 In 2013 a total of two active main badger setts were identified on the Site, along with a further disused main sett. One active annex, subsidiary and outlier sett were also recorded on the Application Site at the time of the walkover (RPS, 2013). The 2015 survey concluded that the activity on site had altered notably since 2013; with one of the previously identified main setts taken over by rabbits, a disused sett now an active main sett and an additional outlier sett recorded.
- 2.37 Based on the results of all the surveys it is concluded that the Site is utilised by at least two comparatively mobile badger clans; two main setts are located on Site, and it is considered likely that at least one additional clan, with an off-site sett, uses the Site for foraging and commuting.

Amphibians

- 2.38 Pond surveys conducted in 2013 identified the presence of low numbers of Smooth Newt, Common Toad and Common Frog in ponds within the Site.
- 2.39 Update amphibian presence/likely absence surveys, which included two 'off-site' ponds within 250m of the Site boundary, were undertaken in 2015. No Great Crested Newts were recorded breeding onsite, although breeding in one pond 250m to the south of the Site was recorded. The survey results indicate a population size classified as 'low' (English Nature, 2001)) as being centred on this offsite pond, with a peak count of 7 adults.
- 2.40 Three juvenile Great Crested Newts were recorded on Site during the first reptile survey, along the southern boundary and towards the western end of the airstrip. These individuals are likely to have dispersed into terrestrial habitat on Site from the breeding pond to the south, despite this habitat being suboptimal for GCN. Another juvenile Great Crested Newt was also recorded in a Surrey Wildlife Trust meadow that adjoins the northern Site boundary (personal communication, SWT), suggesting that there is a second breeding population to the north of the Site centred on an unknown pond that has not been mapped by the Ordnance Survey nor is visible on available aerial imagery.

Reptiles

- 2.41 Survey work undertaken in 2013 determined that the Site supports low populations of the four common reptile species. Slow Worms, Common Lizards, Adders and Grass Snakes were recorded within the northern parts of the Site (principally along the northern boundary and other linear features) and Grass Snakes were recorded within the southern parts of the Site.
- 2.42 The 2015 update survey recorded reptiles predominantly along boundary habitats, with Slow Worm, Common Lizard and Grass Snake recorded. No Adders were recorded during the 2015 survey, indicating that this species is no longer present on Site. Of the species recorded during 2015, no more than 5 adults were recorded per visit, indicating that the Site supports 'Low' and declining populations of these three species.

Biodiversity Context

Introduction

- 2.43 At the national level, Biodiversity 2020: A strategy for England's wildlife and ecosystem services (DEFRA, 2011) provides an overarching biodiversity strategy, with four key targets for action, of which 'putting people at the heart of biodiversity policy' is most relevant to the proposed SANG.
- 2.44 The Surrey Biodiversity Action Plan (BAP) transposes national strategic objectives into targets for species and habitats that have been identified as conservation priorities at County level. Ten priority Habitat Action Plans (HAPs) are promoted in the Surrey BAP. HAP targets and objectives of particular relevance to existing and proposed habitats within Wisley Airfield SANG are provided in **Table 1** below.

Table 1: Surrey HAP Targets and Objectives Relevant to the Creation of Wisley Airfield SANG.

Habitat Action Plan	Relevant Targets & Objectives
Lowland Unimproved Neutral & Acid Grassland	<i>Objective 5.</i> Restore and recreate areas of neutral and acid grassland to buffer existing grass and heathland sites. Recreate habitat on degraded meadows, pastures and arable land. <i>Objective 8.</i> Ensure that seed of native origin is used in all neutral and acid grassland restoration/creation schemes, and that this is of local origin wherever possible.
Woodland	<i>Target 4.1.</i> Promote habitat and structural diversity within woodlands (by encouraging management practices such as ride management, coppicing, thinning, selective felling and restocking). <i>Target 4.3.</i> Promote a co-ordinated removal of non-native invasive plant species throughout Surrey's woodland, in particular rhododendron and cherry laurel. <i>Target 7.1.</i> Ensure that new woodland establishment avoids habitats of non-woodland conservation importance, is designed to enlarge and link existing woods and wherever possible consists of natural regeneration. New planting should comprise site-native broadleaved trees where possible.
Wood Pasture and Parkland	<i>Objective 4.</i> Restore and create areas of wood pasture to extend and buffer existing sites. Recreate habitat on neglected or overgrazed sites.
Standing Water & Large Reedbeds	<i>Objective 7.</i> In suitable areas, encourage the creation of open water and large reedbed habitat, particularly where this promotes a corridor / stepping stone concept linking both open water and reedbed habitats together, both within and without the County.
Urban	<i>Objective 4.</i> Help to ensure that new developments produce a demonstrable gain for wildlife. <i>Objective 6.</i> Create and improve opportunities for organisations and people to take action for wildlife.

3. AIMS AND OBJECTIVES

Introduction

- 3.1 This section considers the aims and objectives of habitat creation and management within the proposed Wisley Airfield SANG. Underpinning the habitat creation and management proposals are two principal aims and six derived objectives, whose achievement can be monitored as a means to evaluate the efficacy of implementation and management work, and to guide future changes to the Management Plan.

Aims

- 3.2 The principal aims of habitat creation and management within Wisley Airfield SANG are to:
- Provide a convenient and accessible, enjoyable and satisfying recreational experience in a natural environment, so that new and existing residents in the area, who would otherwise travel to the Thames Basin Heaths SPA, with or without a dog, opt to visit Wisley Airfield SANG as an alternative; and
 - Protect and enhance the naturalness, biodiversity, and local character of the Wisley Airfield SANG area, to increase its likely effectiveness as a SANG and in accordance with policy and legislative requirements.

Objectives

- 3.3 These principal aims are supported by a series of more specific objectives.
- 1) To deliver and maintain an accessible greenspace resource in fulfilment of criteria set out in Natural England's 'Guidelines for the Creation of SANG';
 - 2) To create new semi-natural habitats in order to achieve biodiversity gains and produce a diverse, naturalistic and attractive landscape;
 - 3) To restore and enhance existing degraded habitats in order to achieve biodiversity gains and produce a diverse, naturalistic and attractive landscape;
 - 4) To manage for both amenity value and biodiversity benefit;
 - 5) To provide opportunities for public engagement and involvement in the management of the SANG; and
 - 6) To deliver ecological mitigation and enhancement measures outlined in the *Wisley Airfield Environmental Statement, Chapter 8 (2015)*.
- 3.4 The remainder of this section outlines the means by which these objectives - and thus the main aims from which they derive - will be achieved.

Objective 1: *To deliver and maintain an accessible greenspace resource in fulfilment of criteria set out in the Joint Strategic Partnership Board's 'Thames Basin Heaths Delivery Framework' and Natural England's 'Guidelines for the Creation of SANG'.*

- 3.5 While SANG is normally provided at a rate at least 8ha per 1,000 population, this figure can vary according to site circumstances. Natural England has advised that SANG should be provided at a rate exceeding the 8ha/1,000 population standard for the Wisley Airfield scheme, on account of its proximity to the SPA and the presence of existing Public Rights of Way (PROW) which have the potential to lead new residents towards the SPA.
- 3.6 The proposed development will comprise up to 2,068 dwellings of which 60 units will be C2 Use Classes and 8 will be Gypsy and Traveller Pitches. NE has agreed that subject to suitable planning condition these units can be discounted from SANG requirement calculations. For the purposes of SANG requirement calculations, the development is consequently considered to constitute 2,008 dwellings, which, given an average occupancy rate of 2.4 persons, would be expected to introduce 4,819 new residents. Accordingly, more than 38.6ha of SANG must be provided.
- 3.7 Two discrete blocks of SANG will be provided to the north and south of the proposed development footprint. Cumulatively these blocks will provide 49.9ha of SANG, which exceeds the standard 8ha/1,000 population standard (before discounting; refer to the 'Information for HRA' report in relation to capacity discounting).
- 3.8 **Appendix 1** relates the specific characteristics of Wisley Airfield SANG to the required and desirable attributes set out in Natural England's 'Guidelines for the Creation of SANG'
- 3.9 SANG creation proposals will be informed by the underlying requirement to deliver landscaped areas in a relatively well-established and immediately attractive condition, to ensure that the SANG represents a desirable destination - and consequently an effective influence on patterns of recreational behaviour - from the very outset of the development.

Objective 2: *To create new semi-natural habitats in order to achieve biodiversity gains and produce a diverse, naturalistic and attractive landscape.*

- 3.10 The following new habitats are proposed for delivery within the Wisley Airfield SANG:
- Ponds;
 - Expansive areas of dry and wet meadow grassland, including blocks of native species scrub and scattered trees;
 - Short mown grassland, primarily intended to serve a recreational function;
 - Native species hedgerows; and
 - A traditional orchard.
- 3.11 Prescriptions for habitat creation will be informed by an emphasis upon complementing existing features of ecological interest, and achieving consistency with the existing and historic character of the landscape within the Site and its surrounds.

3.12 This approach will serve to promote the development of a greenspace resource that is both culturally and ecologically characteristic of the local area, and will increase the habitat resource available to species which, as set out in **Section 2** above, are already present within and around the Site.

3.13 Creation of these habitats will also contribute to the achievement of the relevant Surrey HAP objectives set out in **Section 2** above.

***Objective 3:** To restore and enhance existing degraded habitats in order to achieve biodiversity gains and produce a diverse, naturalistic and attractive landscape.*

3.14 The following elements of habitat restoration work are proposed:

- Diversification and enhancement of unmanaged woodlands and scrub through implementation of traditional management techniques; and
- Eradication of invasive plant species.

3.15 Restoration of woodland habitats will contribute to the achievement of the relevant Surrey HAP objectives set out in **Section 2** above.

***Objective 4:** To manage for both amenity value and biodiversity benefit.*

3.16 Ongoing management will be undertaken to promote both the amenity and biodiversity value of the SANG, including such actions as:

- Upkeep of site furniture and infrastructure;
- Aftercare of newly established habitats; and
- Ongoing conservation management of new and existing habitats to safeguard their nature conservation value and that of the species that they support.

***Objective 5:** To provide opportunities for public engagement with the SANG and involvement in its management to instil social responsibility.*

3.17 It is the intention of the developer to pass the SANG to either a Community Land Trust, a management company, Statutory Authority or local Wildlife Trust for management in perpetuity. Ongoing management will include wardening and public engagement (as detailed further within the 'Information for HRA' report) - in accordance with the objectives of the Surrey Urban HAP, as set out in **Section 2** above. Site wardens can engage with local residents using such established techniques as running voluntary work parties to undertake management and monitoring tasks; arranging guided walks; and supervising activities for children.

Objective 6: *To deliver ecological mitigation and enhancement measures outlined in the Wisley Airfield Environmental Statement (2014)*

3.18 Habitat creation and management within Wisley Airfield SANG will provide opportunities to mitigate ecological impacts arising from the proposed development. A suite of mitigation and enhancement measures are set out in Chapter 8 of the Environmental Statement, of which the following are of particular relevance to this Management Plan:

- Provision of a suitable and safe receptor site for amphibians and reptiles translocated from the development footprint;
- Provision of amphibian and reptile hibernation and refuge features, and enhancement of the quality, extent and connectivity of amphibian and reptile habitat;
- Provision of suitable receptor sites for the translocation of soil from parts of the Wisley Airfield SNCI that have the potential to contain dormant seeds of notable annual plants (a separate assessment regarding the potential loss of best and most versatile agricultural land, including the results of detailed soil surveys in accordance with TIN049, will be provided alongside the forthcoming Regulation 22 ES Addendum submission to GBC);
- Enhancement of habitat value for invertebrates, and provision of log piles and stag beetle loggeries;
- Provision of native fruit and nut bearing tree species to enhance the foraging resource available for Badgers;
- Provision of habitat for breeding and wintering birds; and
- Provision of connectivity within a network of naturalistic greenspace areas, to enhance landscape permeability by amphibians, bats, badgers, reptiles and other fauna.

4. PHASING

Introduction

- 4.1 This section sets out the proposed phasing of implementation and habitat creation works within Wisley Airfield SANG, and provides guidance on seasonal constraints to which certain tasks are subject.
- 4.2 SANG areas which will be delivered in the course of each implementation phase are represented in **Map 4**.
- 4.3 Further information regarding the delivery of SANG and ecological mitigation measures is set out in the 'Ecological Mitigation Phasing Plan' report (EPR, 2015).

Objectives of SANG Implementation Phasing

- 4.4 The phased approach to the implementation of Wisley Airfield SANG has been informed and directed by a number of specific objectives, which are set out below:
- To achieve the phased delivery of SANG capacity in parallel with the increasing demand generated by the proposed residential development;
 - To provide an adequate SANG resource in fulfilment of Natural England guidelines and other quality requirements set out in the 'Wisley Airfield Information for Habitats Regulations Assessment' report (EPR, 2015), prior to first occupancy;
 - To provide newly created habitats in a well-established condition, with each phase of SANG provision to have at least two year's maturation prior to its respective occupancy, so as to ensure the SANG's immediate attractiveness and effective influence upon patterns of recreational behaviour from the outset of the development;
 - To expedite the establishment of vegetative and topographic screening structures, which will serve to mitigate noise and visual impacts arising from the development; and
 - To ensure the harmonisation of implementation works with other elements of the development process, giving due consideration to dependency relationships and accommodating the safe movement of visitors, residents and construction traffic.

SANG Implementation Phase 1, 2016-18

Preliminary Works:

- 4.5 Several elements of preliminary groundwork will be undertaken prior to or alongside the commencement of habitat creation work, including:
- Phased removal of extant hardstanding associated with the disused airfield as necessary to deliver SANG phases;
 - Creation of ponds and SuDS features within the northern SANG area;

- Commencement of the first phase of construction of the woodland 'tump' - a substantial earth landform - within the northern SANG area and an earth rampart along the northern edge of the southern SANG area; and
- Creation of series of low earth mounds in order to diversify the topography of the northern SANG area; as a means to strategically influence patterns of recreational behaviour by reducing the conspicuity and perceived convenience of potential routes towards the SPA; and in order to provide additional refuge opportunities for species of nature conservation value within the SANG.

- 4.6 More detailed prescriptions for preliminary groundwork will be provided in a separate *Phase 1 SANG Landscape and Ecological Management Plan* which will be submitted immediately following consent to expedite discharge of Conditions and SANG implementation.

Provision of Phase 1 SANG

- 4.7 38.7ha of SANG will be provided to serve the first phase of residential development. As represented in **Map 4**, the Phase 1 SANG will comprise the majority of the southern block of SANG, and the majority of the northern block of SANG, and will include:

- A SANG car park;
- A SANG Link between the car park and the Phase 1 SANG areas;
- Two circular SANG walks, 3.9km and 1.8km in length (with shorter options also available), and
- A variety of semi-natural habitats, including wet and dry meadow grassland, wet and dry woodland, scrub blocks, scattered trees, and ponds.

- 4.8 Outline habitat creation prescriptions are provided in **Section 5** below. A summary list of implementation actions is given in **Appendix 3**.

SANG Implementation Phase 2, 2024-2026

Provision of Phase 2 SANG

- 4.9 A further 2.1ha of SANG will be provided prior to occupation of the 1,558th house of the proposed residential development. This will comprise:

- Further phased construction of the tump landform within the northern SANG area; and
- Grassland, scrub blocks, scattered trees and ponds to the northwest of the tump.

SANG Implementation Phase 3, 2025-2027

Provision of Phase 3 SANG

- 4.10 Prior to the occupation of the 1,643rd house of the proposed residential development, a further 8.4ha of SANG will be provided. This will be achieved by:
- completion of the lump within the northern SANG; and
 - completion of the far western end of the northern SANG area, which will provide a variety of habitats including wildflower meadow, tree planting and a traditional orchard.

SANG Implementation Phase 4, 2026-2028

Provision of Phase 4 SANG

- 4.11 Prior to occupation of the 1,981st house of the proposed residential development, a final 0.7ha of SANG will be provided. This will be achieved by:
- removal of the construction access road and completion of the final northwest corner and northern edge of the southern SANG.

Seasonality of Implementation Works

Tree Planting

- 4.12 Planting of bare-root stock should be undertaken between late October and early March, avoiding the active growing season. During this period, moderate and relatively stable air temperatures prevail, and soil temperature and moisture levels are usually within a range that promotes rapid root development. Planting should not be undertaken in frosted or waterlogged conditions.
- 4.13 The tree planting season can be significantly extended through the use of rootballed, container grown or cell grown stock which are less susceptible to transplant stress.

Sowing Seed Mixtures

- 4.14 Autumn and spring (i.e. August/September or March/April) are considered the optimal periods for sowing seed. Seed mixtures that incorporate the hemi-parasitic forb Yellow Rattle as a means to constrain the dominance of vigorous grass species, should be sown in autumn, as this species requires the influence of cold conditions and frost before it will germinate.

Distributing Green Hay

- 4.15 Green hay should be harvested at a time when most target species have finished flowering and undergone seed development (typically mid-July to early August). It can be desirable to undertake a series of two or more phased harvests in order to introduce seed material from species with a wide range of flowering habits.

Tree and Scrub Clearance

- 4.16 Any clearance of trees, hedgerows or scrub undertaken in the course of implementation work should be conducted where possible between September and February (inclusive), to avoid the bird nesting season, as nesting birds are afforded protection under the Wildlife & Countryside Act 1981 (as amended).
- 4.17 If such works must be undertaken within the nesting season, it will be necessary for a suitably experienced ecologist to check the vegetation to be removed no more than 24 hours before the commencement of operations. The discovery of an active nest in the course of this check would require the maintenance of an exclusionary buffer zone until such time as any fledglings depart the nest.

5. SANG IMPLEMENTATION PHASE 1

Introduction

- 5.1 This section characterises the features and habitats that will be established during the first phase of SANG delivery work and provides outline prescriptions for implementation and habitat creation. More detailed prescriptions will be provided in a *Phase 1 SANG Landscape & Ecological Management Plan*.
- 5.2 The underlying objective of this phase is the provision of a functionally and spatially adequate SANG resource to serve the first phases of the proposed residential development. This will involve the provision of 38.7ha of SANG, including a car park, a SANG Link and the 3.9 and 1.8km circular SANG walks within the northern and southern SANGs, respectively.
- 5.3 As represented in **Map 4**, Phase 1 implementation will include the delivery of the southern block of SANG - excluding the northwest corner to the north of the temporary construction access road and a narrow rampart where it abuts the southern edge of the adjacent development - and the central and central eastern area of the northern block of SANG - excluding the far eastern extremity, the tump landform to the west and the area to the north of the tump. It will include preliminary earthworks at the north east tip of the tump and incorporation of screening of subsequent tump construction phases. It will also include delivery of the SANG Link connecting the Phase 1 SANG area to the car park.
- 5.4 The proposed distribution of habitats upon completion of Wisley Airfield SANG is represented in **Map 5**, and the proposed layout of site infrastructure in **Map 6**.

Provision of Infrastructure

Car Park

- 5.5 A new car park will be created at the eastern end of the southern SANG area. In this phase, at least 50 parking spaces will be provided - of which a proportion will be used by staff of the adjacent primary school and for accessing the amenities of the settlement, with 30 reserved for SANG visitors.

SANG Link

- 5.6 A SANG Link, incorporating the existing PROW within a semi-natural corridor comprising wildflower grassland, scrub, native species-rich hedgerows and scattered native species standard trees, will be created to connect the car park to the Phase 1 northern and southern SANG compartments. The SANG Link will be fenced to provide a safe enclosed corridor, with appropriate signage to direct visitors to the adjoining SANG areas. Habitat creation within the SANG Link will be completed at the same time as the Phase 1 SANG areas to create a continuous and suitably established corridor from the car park to the SANGs, and to ensure visual screening of adjacent construction areas.

Fencing and Access

- 5.7 Attractiveness to dog-walkers will be an essential attribute of the SANG. To this end, the SANG will provide secure, enclosed areas, within which dogs can be freely exercised off the lead.
- 5.8 A range of measures will be employed to achieve the enclosure of SANG areas, including provision of fencing, wet ditches, landscaped embankments and boundary planting. In keeping with the naturalistic, semi-rural character of the SANG, boundary fencing will be of timber post-and-wire or post-and-rail construction, and fitted with stock netting. Temporary dog-proof fencing will be installed to prevent public ingress into areas of SANG which will be delivered during subsequent phases.

Paths

- 5.9 The 3.9km circular walk will be provided within the northern SANG area. Both the circular walk and the line of the existing bridleway between the SANG car park and the tump (the SANG link) will take the form of bound gravel paths in order to allow year-round, all-weather and all-ability access, and to promote the attractiveness of the SANG walk in relation to the informal and less consistently navigable paths within the nearby SPA.
- 5.10 With the exception of the bridleway between the car park and the tump, existing Public Rights of Way (PRoWs) which pass through the SANG but do not comprise promoted SANG walking routes, will be maintained as unsurfaced and unedged paths, except where they directly intersect surfaced sections of the circular walk.
- 5.11 Culverts or simple timber footbridges will be provided where the path network intersects the SuDS corridor within the northern SANG block.
- 5.12 A 1.8km circular walk will be provided within the southern SANG block. This will take the form of a bound gravel path, except along the low-lying southernmost section of the route where boardwalk will be provided owing to the hydrological conditions, in addition to two simple timber footbridges traversing Stratford Brook.

Site Furniture

- 5.13 The use of site furniture and signage will be minimised in order to maintain an informal, semi-rural ambience within the SANG interior. The distribution of benches, bins and information boards will principally be concentrated within key activity areas, such as around main access points. Timber will be the predominant material, in simple, robust designs.

Habitat Creation & Enhancement

- 5.14 The proposed layout of the SANG has been informed by the objective of producing a complex of habitats that complements the existing character of the landscape. To this end, the distribution of proposed species-rich meadow grassland areas within the centre and

central eastern area of the northern SANG broadly corresponds to the location of established meadow habitat at Snakesfield, which occurs beyond the central part of the northern boundary. Similarly, the location of proposed areas of new woodland within the SANG reflects the adjacency of ancient woodland at Elm Corner and Hunt's Copse, which respectively occur toward the western and eastern ends of the northern boundary.

- 5.15 In the long-term, this approach will serve to promote the interconnectivity of habitat units on a landscape scale, and enhance dispersal and colonisation opportunities for flora and fauna

Ponds

- 5.16 Pond creation within the SANG will be directed by several specific objectives. In addition to serving a hydrological function as part of the site's Sustainable Drainage System (SuDS), newly created ponds will provide habitat for aquatic flora and fauna, attractive focal points with a naturalistic character, and an exercise resource for dogs.

- 5.17 Pond footprints will be mechanically excavated and an artificial liner installed, where required. Excavated subsoil will be backfilled over the liner (where installed) to a minimum compacted depth of 300mm. This backfilled substrate will be graded and sculpted to form gently sloping, irregularly contoured sides and a series of marginal shelves, the depth of which will be varied in order to accommodate the requirements of a broad range of marginal and submerged aquatic plant species. For each pond, a broad and gently shelving "beach" will be created at the point facing the nearest path, to serve as an ingress and emergence point for dogs. After backfilling, the maximum depth of each pond should be approximately 1m.

- 5.18 The pond margins will be sown with a native species wetland seed mix. Once the ponds are at least partly filled, native species marginal and aquatic plants - either in the form of plugs or pre-planted coir pallets - will be planted directly into the substrate. Such planting will be predominately concentrated away from the dog access beach, and plant selection will favour vigorous species that are relatively tolerant of disturbance, such as Lesser Pond Sedge and Yellow Flag Iris

- 5.19 Residual spoil produced in the course of pond excavation work will be graded into bunds or used in the remediation of areas where hardstanding was formerly present.

Grassland Creation

- 5.20 An expansive meadow grassland resource will be created on areas that were formerly hard-surfaced or in arable use. The objective of grassland meadow creation will be the establishment of a rough mosaic of wet and dry species-rich wildflower meadow areas, punctuated with blocks of scrub and scattered trees.

- 5.21 The juncture between wet and dry meadow areas will take the form of an indistinct, naturalistic gradation, as opposed to a clearly defined linear boundary, and will broadly correspond to the contours of the landscape and the location of the SuDS corridor.

- 5.22 In addition to this wildflower meadow habitat - which will be managed predominantly for biodiversity value and visual interest - an expanse of relatively short sward grassland will be provided towards the eastern end of the Phase 1 area. This short grassland will be managed predominantly for amenity purposes and will be maintained as open turf in order to encourage use for exercise and recreation.
- 5.23 The juncture between these two grassland habitat types will be "soft" and sinuous, so as to create an indistinct, naturalistic gradation, as opposed to a clearly defined linear boundary. Despite the primacy of its amenity function, the short sward grassland will be rich in native species, in accordance with the naturalistic character of the SANG.
- 5.24 The wildflower meadow and short sward grassland will be created by removal of arable crops and hardstanding; cultivation undertaken to produce a friable seedbed, and the introduction of native meadow grass and wildflower species. The initial rate of establishment of finer grasses and wildflowers may be constrained by the site's history of agricultural improvement, which is likely to favour more vigorous species. However, the abundance and distribution of desirable meadow species should increase over time, as soil nutrient levels gradually deplete following the discontinuation of fertiliser input and the adoption of an extensive management approach.

Initial Establishment

- 5.25 Application of a commercially available native meadow grass and wildflower seed mixture will represent the primary means of grassland habitat creation. A general purpose native meadow seed mixture (such as Emorsgate EM2) would be distributed within the majority of the proposed dry meadow areas and over low mounds created in the course of preliminary groundworks. A wetland meadow mixture (such as Emorsgate EM8) would be distributed within lower lying areas toward the north and west of the northern SANG area, and along the SuDS corridor.
- 5.26 Short sward grassland habitat will be created by the application of a proprietary native species seed mixture including slow growing grasses and wildflowers that respond well to regular mowing (such as Emorsgate EL1).
- 5.27 Seeding would be undertaken in spring or autumn. Prior to seeding, the seedbed would be cultivated and subjected to a herbicide application programme. Seed would be distributed over the site at the rate specified by the supplier. The site would be then be lightly rolled to ensure firm contact between seed and soil.
- 5.28 In certain areas, seeding will be supplemented by the translocation of topsoil that has the potential to contain dormant seeds of notable annual plants, from areas of Wisley Airfield SNCI. Specific receptor sites for topsoil translocation will be selected on the basis of the similarity of their environmental and contextual characteristics to those of the corresponding donor sites.

Subsequent Enhancement

- 5.29 Application of green hay may be utilised as a means to enhance the newly created sward, if required. Use of green hay ensures that seed material is of local provenance and provides greater species diversity than commercially available seed mixes. Snakes Field, which occurs immediately to the north of the SANG, has been provisionally identified as one potential green hay donor site, subject to agreement.
- 5.30 Green hay strewing would be undertaken between late July and September, after most meadow species have flowered and set seed, in the year following the initial seeding. Prior to the application of green hay, the sward would be lightly harrowed in order to create germination niches.
- 5.31 Green hay would be taken from the donor site by means of a forage harvester and distributed thinly and evenly with a mechanical spreader, at a harvesting to spreading ratio of approximately 1:3. Spreading would be undertaken immediately after harvesting, lest temperature increases arising from decompositional processes threaten the viability of seed material. Approximately one week after the application of green hay, the receptor area would be lightly rolled to ensure firm contact between seed and soil.

Scrub Blocks

- 5.32 Discrete "islands" of scrub will be planted within both newly created and existing grassland areas, in order to diversify and break up the predominantly open structure of the landscape within the interior of the SANG. Scrub blocks will also fulfil a strategic landscape function, providing visual separation at pinch points between parallel path sections.
- 5.33 Once established, these scrub blocks will provide a valuable refuge and foraging resource for wildlife, and will contribute to the development of an ecotone or transitional gradation between the open grassland of the interior and the woodland which occurs within the north of the SANG.
- 5.34 Irregularly shaped shrub 'blocks' will be created by planting native species shrubs in an informal grid. It is envisaged that, in aggregate, the extent of scrub planting will equate to approximately 10% coverage of the meadow grassland areas.
- 5.35 To promote the delivery of landscaped areas in a relatively well-established and immediately attractive condition, scrub blocks will be planted using a combination of transplants and larger feathered trees so as to provide the impression of instant structural diversity, and create an immediate landscape impact.
- 5.36 A provisional species list for shrub planting is given in **Appendix 2**. To promote the successful establishment of new scrub habitat, and its consistency with the broader landscape, species selection has been informed by the composition of the existing scrub and woodland habitat within the site and its surrounds, which has an affinity with the National Vegetation Classification (NVC) W10 woodland community (*Quercus robur* – *Pteridium aquilinum* – *Rubus fruticosus* woodland), a widespread base-poor lowland woodland.

assemblage within southern England. Shrubs of the same species will be combined in clusters, to mimic the natural aggregation of species.

Scattered Trees

- 5.37 Scattered standard trees will be planted at irregular intervals on either side of the path network within open meadow areas in order to create individual points of interest and provide an immediate landscape impact.
- 5.38 These trees will develop increasing biodiversity and landscape value as they mature and, in some cases, approach veteran status. A provisional planting list for scattered trees is given in **Appendix 2**.

Woodland

Woodland Creation

- 5.39 Further tree planting will be undertaken in order to complement and enhance the existing woodland resource which occurs at the northern boundary of the Site.
- 5.40 A provisional planting list for woodland trees, which will be planted as transplants and feathered trees in an informal grid, is given in **Appendix 2**. The planting scheme will promote the development of a graded, non-linear woodland edge, incorporating sheltered bays or 'scallops'.

Woodland Enhancement

- 5.41 Restorative management will be undertaken to facilitate public access and enhance the biodiversity value of existing woodland habitat.
- 5.42 Selective removal and coppicing of immature trees and scrub will be undertaken in order to increase the degree of light penetration to ground level, and thereby promote the development of a more diverse ground flora assemblage. The establishment of a more open understory layer will also serve to increase the perceived safety of SANG users by improving visibility and ensuring that paths are not enclosed by dense tree and scrub cover.
- 5.43 A key objective of selective thinning and coppicing will be the establishment of an irregular, scalloped woodland edge in order to promote the naturalistic character of the SANG and maximise the complexity and extent of edge habitat.
- 5.44 Arisings from the initial restorative management of wooded areas will be retained on-site in the form of densely stacked piles of logs and brash and half-buried stag beetle loggeries to the extent that this is consistent with the aesthetic and naturalistic character of the SANG. Provision of these features will represent a habitat enhancement for reptiles, invertebrates and other fauna, as outlined in the Environmental Statement.

- 5.45 If it is considered necessary to chip a proportion of the arisings, the resulting woodchip will be incorporated into the path surface. Dead wood will be retained in situ for the benefit of saproxylic invertebrates.
- 5.46 The area of wet woodland in the southern SANG area will be further enhanced by the implementation of an invasive species eradication programme, undertaken in accordance with the separately issued Wisley Airfield Invasive Species Method Statement (RPS, 2013).

Hedgerow

- 5.47 A new native-species rich hedgerow will be planted along the central part of the northern SANG boundary. Once established, this feature will serve to link the newly planted woodland areas which occur toward the eastern and western extents of the northern boundary. The hedgerow will provide breeding habitat for birds, and a foraging resource, refuge and dispersal corridor for a wide range of species.

Reptile Habitat Enhancements

- 5.48 Specific enhancement work will be undertaken in order to maximise the extent and capacity of suitable reptile habitat throughout the SANG. Reptile hibernacula, refuges and basking locations will be provided by burying piled logs of varying diameter under loose topsoil, in order to form vegetated earth mounds with sheltered voids and cavities. Such features will be incorporated within the network of low mounds and bunds produced for the purposes of microtopographical diversification, and also provided at locations where the interface of open grassland and shrub planting makes a range of vegetative cover and basking conditions available.

Advance Works

- 5.49 Further implementation work will be undertaken to prepare habitats in advance of their incorporation into the second phase of SANG provision. This will principally comprise enhancement of existing woodland and planting of additional woodland and scrub to the northwest of the lump. These works will be undertaken in accordance with the Phase 1 woodland creation and enhancement methods set out above.

6. SANG IMPLEMENTATION PHASE 2

Introduction

- 6.1 This section provides outline prescriptions for implementation and habitat creation in the second phase of SANG delivery.
- 6.2 A further 2.1ha of SANG will be delivered in order to provide sufficient aggregate capacity in advance of further occupancy of the residential development. As represented in **Map 4**, Phase 2 implementation will include incorporation of the land to the northwest of the tump.

Habitat Creation & Enhancement

Ponds

- 6.3 Further ponds will be created to the northwest of the tump in accordance with the pond creation methods set out in **Section 5** above.

Grassland

- 6.4 Further grassland will be created within the Phase 2 SANG provision to the northwest of the tump. This will include an expansion of the Phase 1 wildflower meadow area, which will be created through seeding with a general purpose proprietary meadow seed mixture (such as Emorsgate EM2), and structurally diversified through the planting of scrub blocks and scattered trees, in accordance with the Phase 1 grassland and scrub creation methods set out in **Section 5** above.
- 6.5 Main walking routes will comprise bound gravel paths in order to ensure year round/all abilities access.

Scattered Trees and Scrub

- 6.6 Scattered trees planted as part of advance planting works during Phase 1 will be integrated into the Phase 2 SANG area, and further tree planting and creation of scrub blocks will be undertaken in accordance with the methods set out in **Section 5** above.

Advance Works

- 6.7 Further implementation work will be undertaken to prepare habitats in advance of their incorporation into the third phase of SANG provision. This will principally comprise enhancement of existing woodland and planting of additional woodland toward the eastern extent of the northern SANG boundary. These works will be undertaken in accordance with the Phase 1 woodland creation and enhancement methods set out in **Section 5** above.

7. SANG IMPLEMENTATION PHASE 3

Introduction

- 7.1 This section provides outline prescriptions for implementation and habitat creation in the third phase of SANG delivery.
- 7.2 A further 8.4ha of SANG will be delivered in order to provide sufficient aggregate capacity in advance of further occupancy of the residential development. As represented in **Map 4**, Phase 3 SANG provision will be achieved by delivery of the eastern end of the northern SANG and completion of the tump within the northern SANG.

Habitat Creation & Enhancement

Advance Planting

- 7.3 The majority of the Phase 3 SANG provision comprises woodland and hedgerow habitat which will have been created or enhanced in the course of advance works conducted during the preceding implementation phases. This approach will ensure that these areas are subject to a considerable maturation period prior to their incorporation into the SANG, and are consequently delivered in a well-established and immediately attractive condition.

Grassland, Scrub & Scattered Trees

- 7.4 Further wildflower grassland will be created at the far eastern end of the northern SANG, beyond the central short sward grassland area and circular walk, and to the northwest of the tump. Grassland will be created through seeding with a general purpose proprietary meadow seed mixture (such as Emorsgate EM2), and structurally diversified through the planting of scrub blocks and scattered trees, in accordance with the Phase 1 grassland and scrub creation methods set out in **Section 5** above.

Tump

- 7.5 The tump is a substantial proposed landform within the northern SANG area, which will be created from the arisings of preliminary groundwork within the development site and SANG. Standing up to 32m higher than the existing ground level at the base of the proposed tump (which is in turn at a lower level than the runway by approximately 10m), this feature will become a focal point and landscape destination within the SANG, offering elevated views towards the surrounding countryside and distant North Downs. The establishment of the tump will contribute toward the development of a distinctive character and identity for the SANG, and consequently enhance its attractiveness to recreational visitors.

Habitat Creation

- 7.5 On account of its composition from sandy sub-soils excavated from the site, and the free-draining conditions created by its elevation and gradient, the tump will present an opportunity for the establishment of a more characteristically base-poor (acid) grassland assemblage, which would be consistent with the underlying environmental context and the character of the broader landscape.
- 7.7 Acid grassland habitat will be established by seeding the tump with a suitable proprietary seed mixture (such as Emorsgate EM7). Prior to seeding, the landform will be graded into smoothly flowing contours, and subjected to a herbicide application programme. Seed would be distributed over the site at the rate specified by the supplier. The tump may be then be lightly rolled to ensure firm contact between seed and soil. This process could be complemented with soil and seed translocated from the SNCI where conditions are considered to be suitable for the establishment of annual plants.
- 7.8 A zig-zag walking route will be established across the tump as well as a maintenance track; these will be comprised of a bound aggregate surface to allow vehicle access for maintenance and all-abilities access.

Orchard

- 7.9 A low intensity traditional orchard will be created at the eastern extent of the northern SANG area. This feature, comprising rows of native fruit and nut bearing trees planted within open grassland, will represent a characteristic vestige of the cultural landscape, and contribute to the development of the SANG's distinctive semi-rural character. Once established, the orchard will provide both a productive community resource and a foraging opportunity for badgers and other fauna.
- 7.10 The orchard will be established within an area of short sward grassland created in accordance with the method set out above. Widely spaced native species fruit and nut bearing trees will be planted in rows that are sympathetic to the existing contours of the landscape.

8. SANG IMPLEMENTATION PHASE 4

Introduction

- 8.1 This section provides outline prescriptions for implementation and habitat creation in the fourth and final phase of SANG delivery.
- 8.2 A further 0.7ha of SANG will be delivered in order to provide sufficient aggregate capacity in advance of the final occupancies of the residential development. As represented in **Map 4**, Phase 4 SANG provision will be achieved by the removal of the temporary construction access road, completion of the final northwest corner and northern edge of the southern SANG and extension of the SANG car park.

Habitat Creation & Enhancement

Grassland, Scrub & Scattered Trees

- 8.3 Grassland areas to the northwest and northern extents of the southern SANG will be re-created following decommissioning of the temporary construction access road. Grassland will be created through seeding with a general purpose proprietary meadow seed mixture (such as Emorsgate EM2), and structurally diversified through the planting of scrub blocks and scattered trees, in accordance with the Phase 1 grassland and scrub creation methods set out in **Section 5** above.

9. ONGOING MANAGEMENT

Introduction

- 9.1 This section provides guidance on aftercare required to ensure the successful establishment of new and enhanced habitats within the SANG, and ongoing management work that will be undertaken to maintain its amenity and biodiversity value.

Infrastructure Maintenance

- 9.2 Regular maintenance checks will be conducted to identify and remedy damage to items of amenity infrastructure. Periodic vegetation clearance around paths, gates, benches and trees will be undertaken as required in order to maintain unobstructed public access, and keep the circular walk, PRowS and connecting footpaths in a navigable condition.
- 9.3 The SuDS corridor will require periodic maintenance to maintain its efficient function, including the sensitive removal of built up silt. Further detail regarding the management of the SuDS corridor will be provided within a separate Phase 1 SANG Landscape and Ecological Management Plan, although silt management is anticipated to be required on a long-term basis, and can be completed within small sections on rotation, so as to reduce any visual impacts on the attractiveness of the SANG habitats, and during the winter to preserve the function of the SANG at the most critical time of year (spring and early summer) when the Annex 1 birds are nesting on the SPA.
- 9.4 Removal of loose litter and emptying of dog waste and litter bins will be undertaken at appropriate intervals.
- 9.5 In the longer term, items of site furniture and infrastructure will be repaired or replaced as required in order to maintain the safety and accessibility of the SANG, and the integrity of perimeter fencing.

Post-implementation Planting Maintenance

- 9.6 Aftercare of newly planted trees and shrubs will be undertaken during the establishment period - *i.e.* for approximately 3 years after planting. The planting maintenance programme will include:
- Regular weed control to reduce competition for nutrients, water and light;
 - Hand-weeding to remove weeds from inside tree guards and maintain mulched standard tree surrounds in a weed-free condition;
 - Annual topping up of mulch around standard trees;
 - Watering of standard trees during drought;
 - Assessment and adjustment of tree ties, guards and staking systems;
 - Re-firming trees and tree stakes after frosts and high winds; and
 - Formative pruning of standard trees.

- 9.7 In early autumn in the first year after planting, a review of tree survivorship will be undertaken in order to inform a replacement planting programme conducted in the immediately subsequent winter. If any failures are considered attributable to site conditions, then alternative options should be considered, such as replacement with a species that is more likely to succeed, or planting in a more favourable position.
- 9.8 Spiral guards, tree-ties and stakes should be removed from standard trees approximately three years after planting - or at such time as the trees are considered to have become successfully established. Voids formed by the removal of tree stakes should be backfilled with loose soil.

Habitat Management

Ponds

- 9.9 Monitoring will be undertaken to identify any failures of the pond liner, accumulations of litter, and the introduction of non-native plant species, which should be expeditiously removed.
- 9.10 In the longer term, management intervention may be required to ensure that aquatic flora are maintained at optimal levels. If plant cover extends across more than 80% of a pond's surface, up to 30% of aquatic vegetation should be removed. Any such removal should be undertaken in late autumn or winter and in an appropriately sensitive fashion.

Scrub Blocks

- 9.11 The objective of ongoing management of scrub blocks will be the promotion of a dense, vigorous, low-growing condition, so as to provide effective refuges for wildlife including birds, Badgers and reptiles, and to avoid undue restriction of visibility across the predominantly open landscape of the SANG's interior.
- 9.12 Shrubs within scrub blocks will be coppiced or pollarded on a 7-10 year rotation, subject to rates of growth. No more than 30% of shrubs within each scrub blocks should be coppiced or pollarded in any one year.

Scattered Trees

- 9.13 Standard trees will be subject to ongoing formative pruning to promote good form and apical dominance. In the longer term, trees which show poor form or symptoms of poor establishment will be coppiced or pollarded, and thereafter managed as low bushes.

Short Sward Grassland

- 9.14 Ongoing grassland management within the SANG will be undertaken with reference to the three broad habitat sub-categories: short sward grassland, managed primarily for

recreational purposes; species-rich wildflower meadow that will be of greater value to, and managed for, wildlife, and grassland on mounds.

- 9.15 Short sward grassland areas – including open grassland between tree rows within the orchard – will be mown throughout the growing season at a frequency appropriate to the maintenance of sward height in the range of approximately 50-200mm.

Wildflower Meadow

- 9.16 The objective of wildflower meadow management will be to enhance the floral diversity, and thereby the visual attractiveness, of the meadow sward. This will be achieved by allowing wildflower species to flower and set seed on an annual basis, and by gradual nutrient depletion through repeated cropping of the sward. A second objective will be to develop the physical structure of the meadow to provide habitat of greater value to birds and reptiles. This will be achieved through targeted and/or rotational cutting to create a range of sward heights and densities.

Year One Management

- 9.17 In the first year after sowing, the wildflower meadow should be mown four times to a height of approximately 50-75mm, at approximately even intervals throughout the growing season. Arisings should be removed from the meadow area.
- 9.18 The objectives of this preliminary approach will be to deplete nutrients by repeated cropping; control the initial flush of annual weeds; and promote root establishment by grasses and wildflowers.

Subsequent Management

- 9.19 From the second year after sowing, management will take the form of a main annual hay cut in late summer or autumn, and supplementary cuts in spring and late autumn – which may not be required on an annual basis.
- 9.20 The spring cut will be undertaken in the second, third and fourth years after sowing. Thereafter, a spring cut will only be undertaken if it is considered likely to be beneficial to the achievement of management objectives, depending on the productivity and diversity of the sward.
- 9.21 The purpose of spring cutting will be to expedite nutrient depletion and promote wildflower development by removing the first annual flush of vigorous grass growth. The meadow will be mown to a height of approximately 50-75mm in late April.
- 9.22 The main hay cut will be undertaken in late summer or early autumn, once most annual wildflower species have flowered and set seed. The precise timing can be varied according to management objectives: early cutting (early July to mid-August) will be most effective for

nutrient depletion and control of coarse grasses; late cutting (mid-August to early September) provides longer enjoyment of flowering plants and allows late flowering species to set seed.

- 9.23 Given the considerable extent of open meadow habitat to be provided at Wisley Airfield SANG, the development of a diverse and balanced sward can be most effectively achieved by dividing the meadow into between 2 and 4 discrete management compartments, which will each be cut at different points during the hay-cutting season in order to favour species across the seasonal flowering spectrum, and to promote the simultaneous availability of a range of sward heights and structures.
- 9.24 Some areas of grassland will also be left uncut for a year or longer – either as scattered islands, along meadow margins, or at the interface between open meadow and shrub habitats– to promote the development of a rough, tussocky structure and provide dense ground-level cover for reptiles, small mammals and invertebrates. Uncut areas will be rotated to prevent unwanted scrub encroachment, while ensuring the permanent and widespread availability of a resource of dense vegetative cover.
- 9.25 The commencement of the annual hay cut should be expedited if the sward collapses due to excessive productivity, density or bad weather. If this results in a particularly early hay cut, a subsequent late autumn cut will also be undertaken. This will involve mowing the meadow to a height of approximately 50-75mm in late October or November, which will serve to promote wildflower development in the subsequent growing season by removing excessive grass growth, and will leave the sward in an aesthetically satisfactory condition for the winter.
- 9.26 Following the main annual hay cut, arisings should be left *in situ* for approximately one week after cutting to encourage seed drop, before being baled and removed from the site.

Grassland on Mounds

- 9.27 Grassland on low mounds within wildflower meadow areas will be managed by annual strimming or mowing undertaken to coincide with the hay cut.
- 9.28 Due to its relatively droughted and infertile condition, the acid grassland of the tump is unlikely to require very regular cutting, but will be managed by occasional strimming or mowing at a frequency appropriate to the maintenance of relatively open and navigable conditions.

Woodland

- 9.29 Trees adjacent to the footpath will require ongoing monitoring and management both for health and safety reasons and to maintain access for recreational users. Arisings from any localised tree or vegetation clearance required to maintain the accessibility of the path network should be piled within the woodland to provide refuges for wildlife.

- 9.30 Areas of woodland which have been thinned in the course of the preliminary implementation phase will subsequently be managed through low intensity coppicing and ongoing clearance of scrub regeneration so that an open understory is maintained.

Hedgerows

- 9.31 New hedgerows will be subject to an initial pruning in the second winter after planting, in order to promote dense growth.
- 9.32 Management of hedgerows by mechanical flailing should be undertaken on an approximately triennial rotation. To avoid structural uniformity and the loss of over-wintering invertebrate species, only one side and only certain sections of a hedgerow should be cut in any one year. This will also ensure that at least one side of the hedgerow remains dense and bushy at any one time, to retain habitat suitable for nesting birds.
- 9.33 Variation in the angle of cutting can be used to promote diversity of structure, by producing hedgerow sections with either an 'A'-shaped profile or straight vertical faces. Standard trees should be allowed to develop within hedgerows - at irregular intervals of 5-10m, and particularly at field corners – in order to promote a softer, more naturalistic rural appearance and provide perches for songbirds.

10. DELIVERY

Introduction

- 10.1 The arrangements for delivery and future ownership of, and responsibility for the future management of, Wisley Airfield SANG; the detailed costs that will be associated with setting up the SANG and managing it; and the mechanisms through which the required funding will be secured indefinitely, will be secured by means of a S106 Agreement. This section provides a preliminary outline of these arrangements.

Delivery

- 10.2 Wisley Property Investments will undertake the implementation works set out above in order to deliver Wisley Airfield SANG to the standard envisaged in this Management Plan.

Ownership & Management

- 10.3 Upon completion of the development, Wisley Airfield SANG will be transferred in phases to either a Community Land Trust, a management company, or Statutory Authority or local Wildlife Trust for management in perpetuity, with a commuted sum or alternative financial arrangement to fund management secured through a Section 106 Agreement or other legal agreement.

Cost Assessment

- 10.4 A detailed costing assessment has been undertaken to provide an indication of the funding required both to establish Wisley Airfield SANG to the standard envisaged in this Management Plan, and to maintain the SANG in perpetuity.
- 10.5 Costs have been estimated with reference to guidance sources such as Spon's *External Works and Landscape Price Book*, and to actual costs incurred and estimates received in respect of the creation and management of comparable SANG sites.

Maps

Map 1 Site Location, European Nature Conservation Designations & Component SSSI

Map 2 Existing Habitats

Map 3 SANG Illustrative Masterplan





Map 4 SANG Delivery Phases

Map 5 SANG Layout: Habitats

Map 6 SANG Layout: Infrastructure

MAP 1 Site Location

KEY

-  Site boundary
-  2km linear distance from site boundary
-  5km linear distance from site boundary
-  Special Protection Area (SPA)



SCALE: 1:45,000 at A3



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CLIENT: Wisley Property Investments Ltd

PROJECT: Wisley Airfield

DATE: July 2015

MAP 2 Phase 1 Habitats

KEY

	Site boundary
	Woodland
	Scrub
	Semi-improved neutral grassland
	Improved grassland
	Poor semi-improved grassland
	Bracken
	Ruderal
	Running water
	Cultivated/disturbed land
	Built areas
	Landfill
	Historic boundary features
	Waterways

SCALE: 1:9,000 at A3
 0 100 200 300 400 Metres



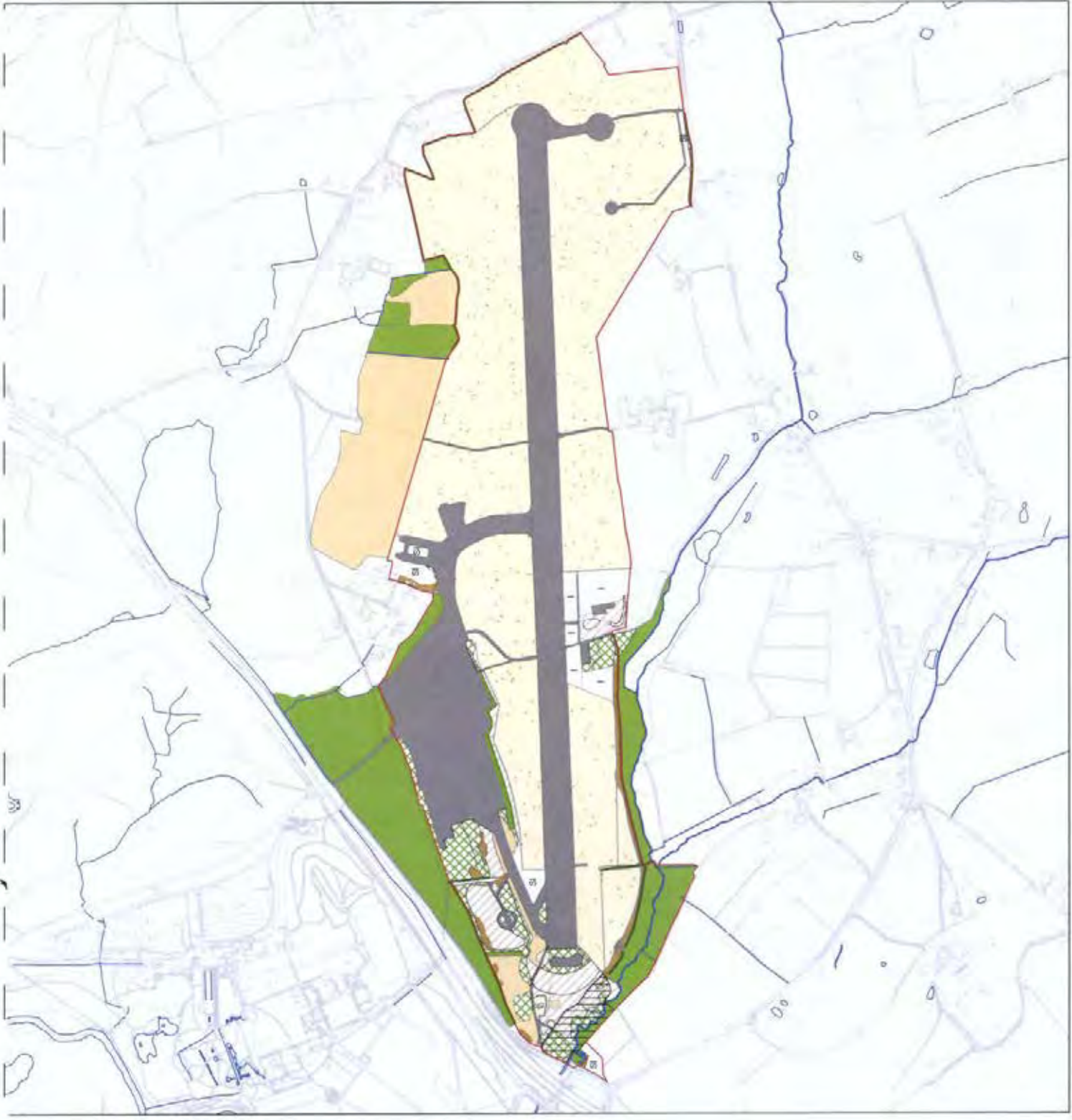
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PROJECT: Wisley Airfield












DATE: November 2015

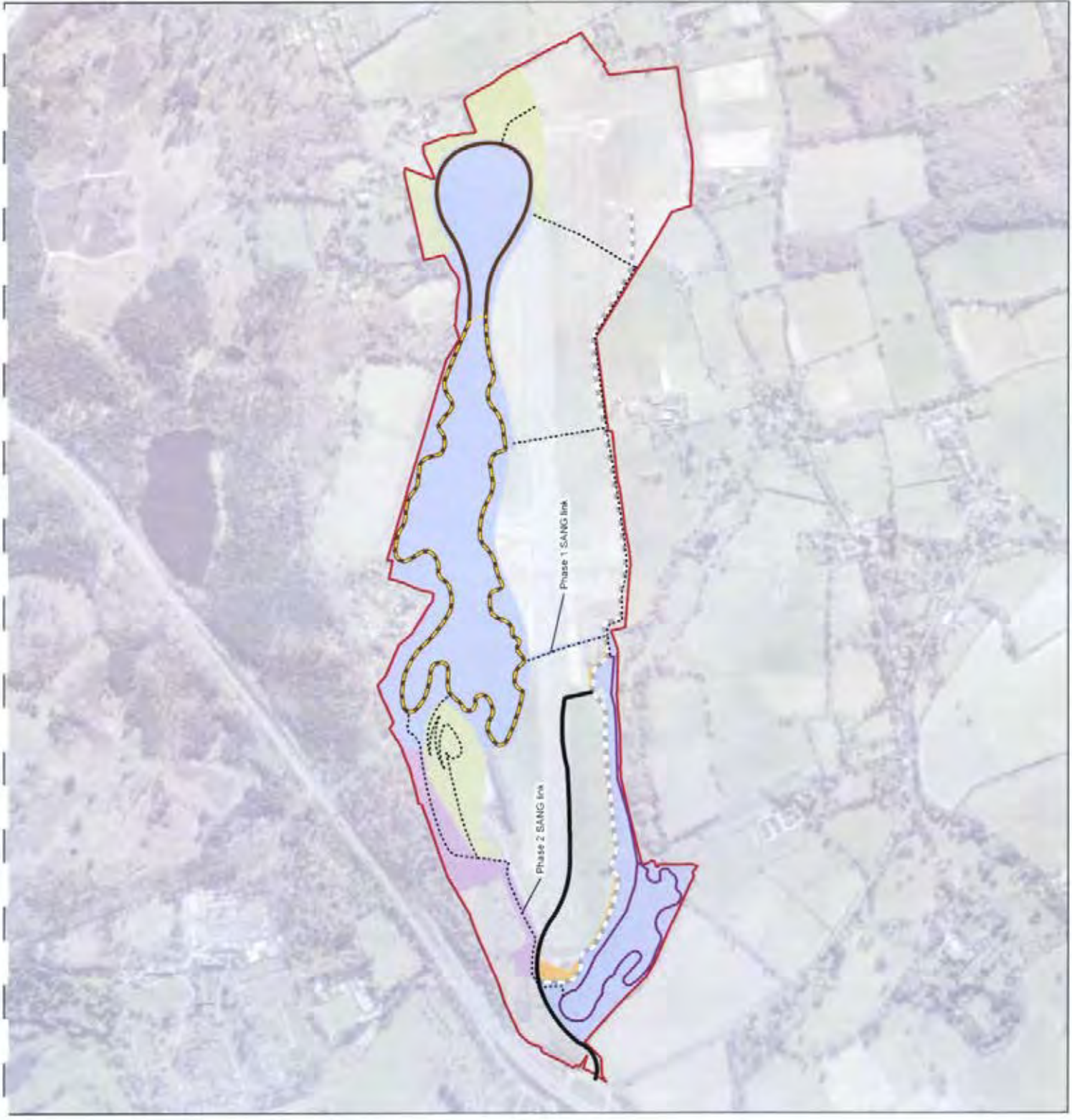
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MAP 4 SANG Phasing

KEY

-  Site boundary
-  Phase 1 (38.7ha)
-  Phase 2 (2.1ha)
-  Phase 3 (6.4ha)
-  Phase 4 (0.7ha)
-  2.9km Northern SANG circular walk
-  3.9km Northern SANG circular walk
-  1.8km Southern SANG circular walk
-  Other footpath links (3.8km)
-  Road link from A3 to car park
-  Temporary construction access road



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MAP 5 SANG Layout - Existing & Proposed Habitats

KEY

-  Site boundary
-  Existing habitats to be enhanced
-  Wet woodland
-  Woodland
-  Grassland
-  Proposed habitats
-  Proposed woodland
-  Trees and scrub
-  Dry meadow grassland with scrub
-  Short mown grassland
-  Orchard
-  Tump
-  Pond
-  Car park
-  New hedgerow
-  Swale

SCALE 1:8,000 at A3
 0 100 200 300 400 METRES



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PROJECT Wisley Airfield

DATE November 2015

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MAP 6 SANG Layout - Proposed Infrastructure

KEY

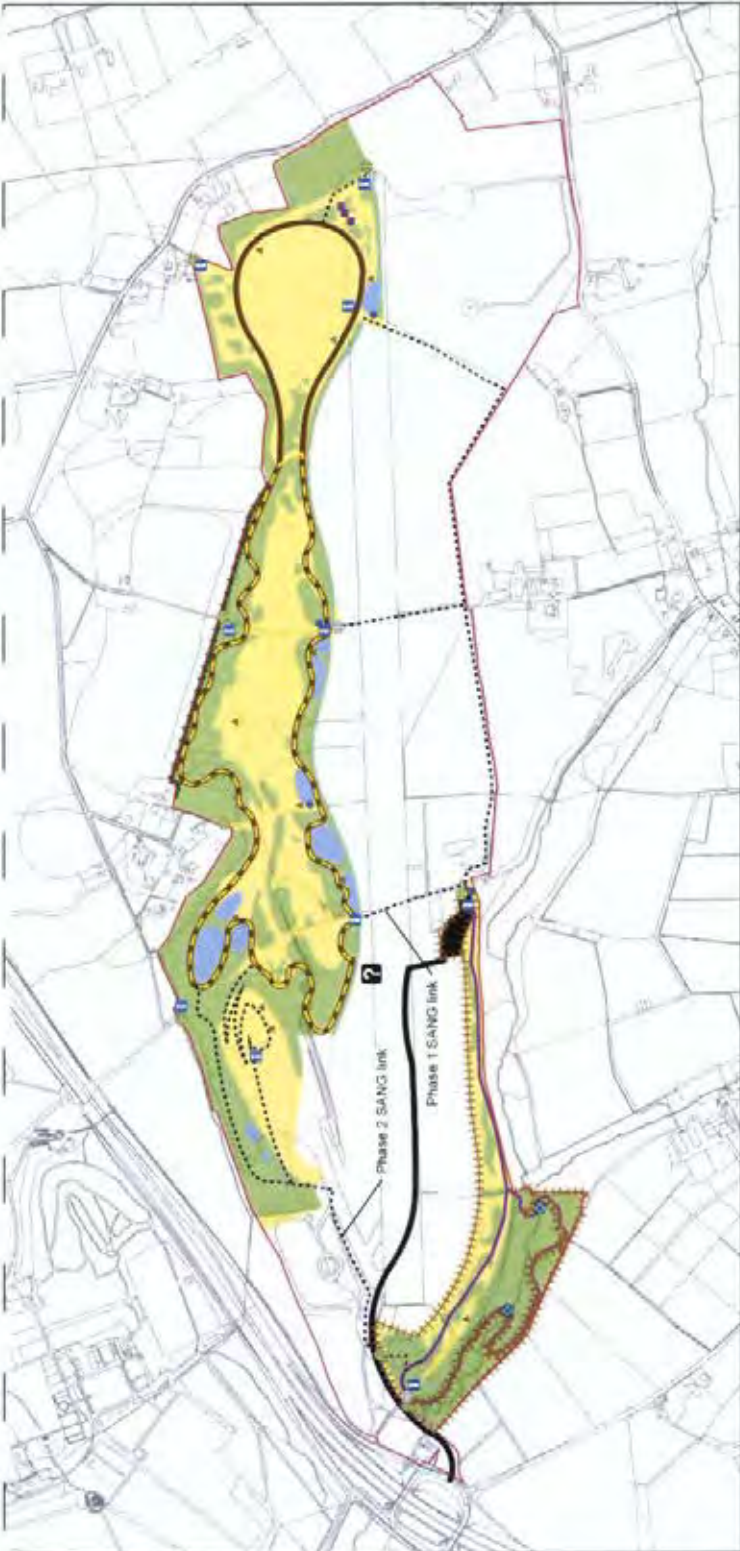
-  Site boundary
-  SANG boundary
-  Wooded habitats
-  Open grassland habitats
-  Pond
-  Car park
-  Road link from A3 to car park
-  2.9km Northern SANG circular walk
-  3.9km Northern SANG circular walk
-  1.8km Southern SANG circular walk
-  Other footpath links (3.8km)
-  Boardwalk
-  Fence
-  Hedgerow
-  Swale
-  Visitor centre
-  Kissing gate
-  Field gate
-  Footbridge
-  Information board
-  Bench
-  Picnic bench
-  Bin

SCALE: 1:9,000 at A3
 0 100 200 300 400 Metres



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CLIENT: Wisley Property Investments
 PROJECT: Wisley Airfield
 DATE: November 2015



Appendix 1

Relation of the proposed characteristics of Wisley Airfield SANG to Natural England's 'Guidelines for the Creation of Suitable Alternative Natural Greenspace' (2008)

Must Have Features	Proposals
Adequate Car Parking	A SANG car park providing up to 100 spaces will be located towards the middle of the site strategically located at the furthest point from the SPA. Some spaces will be utilised by staff at the adjacent primary schools but a minimum of 30 spaces identified particularly for SANG use.
It should be possible to complete a circular walk of 2.3-2.5km around the SANGs	More than the minimum 2.3-2.5km circular walk has been accommodated within the proposed SANG area in Phase 1 (total 5.7km). Additional routes will become available in later SANGs and development phases to provide routes up to 9.5km.
Car parks easily accessible and well signed	The car park will be easily accessed off of the Ridgeway Avenue (the main east-west spine road as outlined on the scheme parameters) with signage promoted from the A3 and Ockham Interchange.
Appropriate access points for target user groups	<p>Access points from the SANG car park will be provided via the existing bridleway 544 to the northern SANG area and direct access to footpath 13A to the southern SANG area.</p> <p>Residents will have easy access from the housing areas directly into the SANGs via crossing points over ha-ha's or through proposed green infrastructure corridors between housing blocks. Residents from Elm Corner, Hatchford End, Martyrs Green and Ockham can gain access from existing footpaths that lead through green infrastructure into the SANG.</p>
Safe pedestrian route from nearest car park.	The proposed car park will provide safe pedestrian routes into the SANGs via existing PROW.
Circular walks starting and finishing at car park	The northern SANG area is accessed via a SANG link utilising BW544. A shorter circular walk around the southern SANG area starts and stops at the SANG car park and has direct access to open space to exercise dogs.
Perceived by users to be safe, some open walking areas	Will remain predominantly open walking through woodland orchard and meadow creating different experiences for users.
Paths should be easily used and well maintained but most should be unsurfaced to avoid urban feel	Circular routes will comprise a natural and durable bound gravel surface providing a dry and easily accessible route year round and to attract users to move in an east x west direction rather than heading north into the SPA. Existing PROW will remain un-surfaced as will other walking routes within the SANG. Part of

	the walk through the southern SANG may be boardwalked in places south of the river, where required.
SANGs must be perceived as semi-natural spaces with little intrusion of artificial structures, except in vicinity of car parks. Visually sensitive way markers and benches are acceptable	The SANG areas will be designed as semi-natural spaces and accord with Natural England's guidelines for the creation of SANG. Appropriate natural and 'rustic' furnishings for the SANG will minimise the degree of artificial intrusion.
Variety of habitats	A variety of habitats and visual experiences will be provided through different types of woodland, meadow, short grassland, scrub, orchard and waterbodies supporting wetland habitats.
Unrestricted access, space for dogs to exercise	The SANG will be designed to enable dogs to be exercised freely and safely off the lead, and there will be a range of measures to keep pets contained within the SANG areas to include ha-ha's, wet ditches, planted areas on earth mounds and dog-proof fencing.
Free from unpleasant intrusions	The SANG will not be adversely affected by road noise (discussed further in the Information for HRA report). The transition from housing areas to the SANG will be designed sensitively to prevent urban intrusion.
Clear signposting & advertising	Appropriate timber waymarkers will be installed to indicate walking routes on site and signage will be provided on the A3 and Ockham Interchange to advertise the SANG and car park/cafe.
Promoted by leaflet or websites	The new SANG and additional offsite walking routes will be advertised via a bespoke website and through dissemination of leaflets.
Desirable Features	Proposals
Safe to let dogs off lead between car park and SANG	Generous open areas, to the south of and connected to the car park, will be enclosed by dog proof fencing allowing dogs to be immediately let off the lead. The northern SANG area is not directly connected to the car park but is linked along a short route through green infrastructure.
Gently undulating topography	It is proposed to do some remodelling of the contours to create more visual interest and visual separation between footpaths. There will be no steep inclines within the SANG, except on the rise up the woodland tump which will act as a feature of interest.
Interpretation panels at access points showing site layout and routes	Interpretation boards will be provided at the access points to the SANG, showing the walking routes provided and the features of interest within the site, including seating areas. Timber waymarkers will be provided around the SANG to mark out the walking route.

<p>Open country character with areas of dense trees, scattered scrub or open water</p>	<p>Habitats within the SANG will mostly be open to include grassland; areas of shrubs, scrub and scattered trees; orchard; hedgerow; wet and dry woodland with an open understory; mature standard trees; and waterbodies supporting wetland habitats.</p>
<p>Focal point</p>	<p>A sculptural landform (the woodland tump) will provide a destination on the circular walk and long attractive views from its summit. Several ponds will also provide focal points within the SANG, as will a picnic area adjacent to the orchard.</p>

Appendix 2

Provisional Planting List

Scrub Blocks

Hazel *Corylus avellana*
Hawthorn *Crataegus monogyna*
Holly *Ilex aquifolium*
Crap Apple *Malus sylvestris*
Rowan *Sorbus aucuparia*
Honeysuckle *Lonicera periclymenum*
Wild Privet *Ligustrum vulgare*
Dog Rose *Rosa canina*

Scattered Trees

Pedunculate Oak *Quercus robur*
Hornbeam *Carpinus betulus*
Sweet Chestnut *Castanea sativa*
Wild Cherry *Prunus avium*

Woodland Planting

Pedunculate Oak *Quercus robur*
Sweet Chestnut *Castanea sativa*
Hazel *Corylus avellana*
Hawthorn *Crataegus monogyna*
Holly *Ilex aquifolium*
Rowan *Sorbus aucuparia*
Dog Rose *Rosa canina*
Honeysuckle *Lonicera periclymenum*

Appendix 3 Summary of Actions

Actions	Phase 1	Phase 2	Phase 3	Phase 4	Aftercare	Maintenance
Objective 1: To deliver and maintain an accessible greenspace resource in fulfilment of criteria set out in the Joint Strategic Partnership Board's 'Thames Basin Heaths Delivery Framework' and Natural England's 'Guidelines for the Creation of SANG'						
1	✓	✓	✓	✓		
2	✓	✓	✓	✓		
3					✓	
4					✓	
5					✓	
6	✓	✓	✓	✓		
Objective 2: To create new semi-natural habitats in order to achieve biodiversity gains and produce a diverse, naturalistic and attractive landscape						
7	✓	✓				
8	✓	✓	✓	✓		
9	✓					
10	✓	✓	✓	✓		
11	✓	✓	✓	✓		
12	✓	✓	✓	✓		
13						
Objective 3: To restore and enhance existing degraded habitats in order to achieve biodiversity gains and produce a diverse, naturalistic and attractive landscape						
14	✓	✓				
15	✓					✓

Actions	Phase 1	Phase 2	Phase 3	Phase 4	Aftercare	Maintenance
Objective 4: To manage for both amenity value and biodiversity benefit						
16 Planting maintenance					✓	
17 Replacement planting					✓	
18 Monitoring and management of ponds						✓
19 Rotational coppicing and pollarding of scrub blocks						✓
20 Woodland management: coppicing & clearance of regenerating scrub						✓
21 Amenity grassland management: mowing (approximately 8 cuts pa)					✓	✓
22 Wildflower meadow management: year one aftercare						✓
23 Wildflower meadow management: annual hay cut						✓
24 Mowing or strimming grassland on mounds (approximately annual)					✓	✓
25 Hedgerow management: year 2 pruning						
26 Hedgerow management: approximately triennial cutting						✓
Objective 5: To provide opportunities for public engagement and involvement in the management of the SANG						
27 Regular on-site warden presence						✓
28 Pursuit of opportunities for involvement with voluntary working parties						✓
29 Pursuit of opportunities for involvement with public such as guided walks						✓
Objective 6: To deliver ecological mitigation and enhancement measures outlined in the Wisley Airfield Environmental Statement						
30 Provision of log & brash piles	✓	✓	✓	✓	✓	
31 Provision of connectivity with other greenspace areas	✓	✓	✓	✓	✓	



25 February 2016

Paul Sherman
Guildford Borough Council
Millmead House
Millmead
Guildford
Surrey
GU2 4BE

By Email Only

Dear Paul,

RE: Wisley Airfield - Letter of Explanation, Revisions to SANG Design

I have been asked by to write to you to provide plans and sections identifying minor revisions to the SANG layout for Wisley Airfield, and to explain how these plans clarify the previously submitted *Information for Habitats Regulations Assessment Report* (ref: P14/67 – 2F, EPR, November 2015) and *Suitable Alternative Natural Greenspace (SANG) Outline Habitat Creation & Management Plan* (ref: P14/67 – 3E, EPR, November 2015).

SANG revisions respond to comments made by Natural England in February 2016 and relate to minor realignment of the Northern SANG route and some landscaping improvements, but do not alter the length of the route.

Summary of SANG Design Revisions

The revisions to the SANG design at Sections A-G (see plans at **Appendix 1** for Section locations and further detail) are summarised individually in the text below.

This text provides further clarification to the relevant parts of Section 5.71 *et seq* of the *Information for Habitats Regulations Assessment Report* which detail SANG Design; and Section 5 of the *SANG Outline Habitat Creation & Management Plan* which details SANG Design..

Section A

- The circular walk path has moved northwards, increasing the distance between the circular walk path and the residential development to the south;
- This additional distance has allowed the inclusion of additional scrub and tree planting between the circular walk path and the residential development to the south which will filter views towards the development.

Section B

- The swale to the south of the circular walk has been realigned to increase the distance between the circular walk path and the residential development to the south;
- Additional scrub and tree planting will be included between the southern bank of the swale and the residential development to the south which will filter views towards the development.

•

Section C

- The circular walk path has moved marginally northwards, increasing the distance between the circular walk path and the residential development to the south;
- Additional scrub and tree planting will be included between the southern bank of the swale and the residential development to the south which will filter views towards the development.

•

Section D

- The circular walk path has moved northwards, increasing the distance between the circular walk path and the residential development to the south;
- This additional distance has allowed the inclusion of an earth mound with scrub and tree planting between the circular walk path and the residential development to the south which will filter views towards the development.

•

Section E

- The circular walk path has moved northwards, increasing the distance between the circular walk path and the residential development to the south;
- This additional distance has allowed the inclusion of an earth mound with scrub and tree planting between the circular walk path and the residential development to the south which will filter views towards the development.

•

Section F

- The circular walk path has moved northwards, increasing the distance between the circular walk path and the residential development to the south;
- This additional distance has allowed the inclusion of additional scrub and tree planting between the circular walk path and the residential development to the south which will filter views towards the development.

•

Section G

- The circular walk path has moved marginally northwards, increasing the distance between the circular walk path and the residential development to the south;
- Additional scrub and tree planting is included between the circular walk path and the residential development to the south which will filter views towards the development.

Section B

- The swale to the south of the circular walk has been realigned to increase the distance between the circular walk path and the residential development to the south;
- Additional scrub and tree planting will be included between the southern bank of the swale and the residential development to the south which will filter views towards the development.

•

Section C

- The circular walk path has moved marginally northwards, increasing the distance between the circular walk path and the residential development to the south;
- Additional scrub and tree planting will be included between the southern bank of the swale and the residential development to the south which will filter views towards the development.

•

Section D

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Section E

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•

Section F

- The circular walk path has moved northwards, increasing the distance between the circular walk path and the residential development to the south;
- This additional distance has allowed the inclusion of additional scrub and tree planting between the circular walk path and the residential development to the south which will filter views towards the development.

•

Section G

- The circular walk path has moved marginally northwards, increasing the distance between the circular walk path and the residential development to the south;
- Additional scrub and tree planting is included between the circular walk path and the residential development to the south which will filter views towards the development.

Maps and Figures

Maps and Figures associated with the *Information for Habitats Regulations Assessment Report* and *Suitable Alternative Natural Greenspace Outline Habitat Creation & Management Plan* have also been updated to reflect the above SANG revisions. Specific Map and Figure changes are detailed below.

Information for Habitats Regulations Assessment Report - Map Revisions:

- **Map 9 - SANG Layout-Proposed Infrastructure:** New circular walk route shown.
- **Map 11 - SANG Phasing:** New circular walk route shown
- **Map 12 - Offsite PROW Improvements to be Delivered as Part of SPA Impact Avoidance Strategy:** New Circular walk route shown

For illustrative purposes only, the amended **Map 11** which is attached to this addendum shows both the old and new circular walk routes.

Information for Habitats Regulations Assessment Report - Figure Revisions:

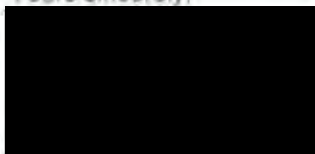
- **Figure 3 – Illustrative SANG Masterplan** (Davies Landscape Architects). New Circular walk route shown. Figure updated with features as described above
- **Figure 5 – Illustration of treatment of narrower section of northern SANG area** (Davies Landscape Architects). Figure updated to illustrate the adjusted route of the circular walk path and to include screen planting between the circular walk path and development to the south.

SANG Outline Habitat Creation & Management Plan - Map Revisions

- **Map 3 – Site Masterplan:** New circular walk route shown.
- **Map 4 - SANG Phasing:** New circular walk route shown
- **Map 6 – SANG Layout – Proposed Infrastructure:** New Circular walk route shown

I trust the above is helpful, but if you have any further queries please do not hesitate to contact me.

Yours sincerely,



Chris Mungo BSc (Hons) MSc MCIEEM AEMA
Consultant Senior Ecologist, *EPR Ltd.*

Maps and Figures

Information for Habitats Regulations Assessment Report - Map Revisions:

- Map 9** SANG Layout- Proposed Infrastructure - REVISED
- Map 11** SANG Phasing - REVISED
- Map 12** Offsite PROW Improvements to be Delivered as Part of SPA Impact Avoidance Strategy - REVISED

Information for Habitats Regulations Assessment Report - Figure Revisions:

- Figure 3** Illustrative SANG Masterplan - REVISED
- Figure 5** Illustration of treatment of narrower section of northern SANG area - REVISED

SANG Outline Habitat Creation & Management Plan - Map Revisions

- Map 3** SANG Masterplan - REVISED
- Map 4** SANG Phasing - REVISED
- Map 6** SANG Layout – Proposed Infrastructure - REVISED























Appendices

- Appendix 1** SANG Character Areas

Information for Habitats Regulations Assessment Report – Map Revisions:

MAP 9 SANG Layout - Proposed Infrastructure REVISED FOR ADDENDUM

KEY

-  Site boundary
-  SANG boundary
-  Wooded habitats
-  Open grassland habitats
-  Pond
-  Car park
-  Road link from A3 to car park
-  3.9km Northern SANG circular walk
-  2.9km Northern SANG circular walk
-  1.8km Southern SANG circular walk
-  Other footpath links (3.8km)
-  Boardwalk
-  Fence
-  Hedgerow
-  Swale
-  Visitor centre
-  Kissing gate
-  Field gate
-  Footbridge
-  Information board
-  Bench
-  Picnic bench
-  Bin

SCALE: 1:8,000 at A3

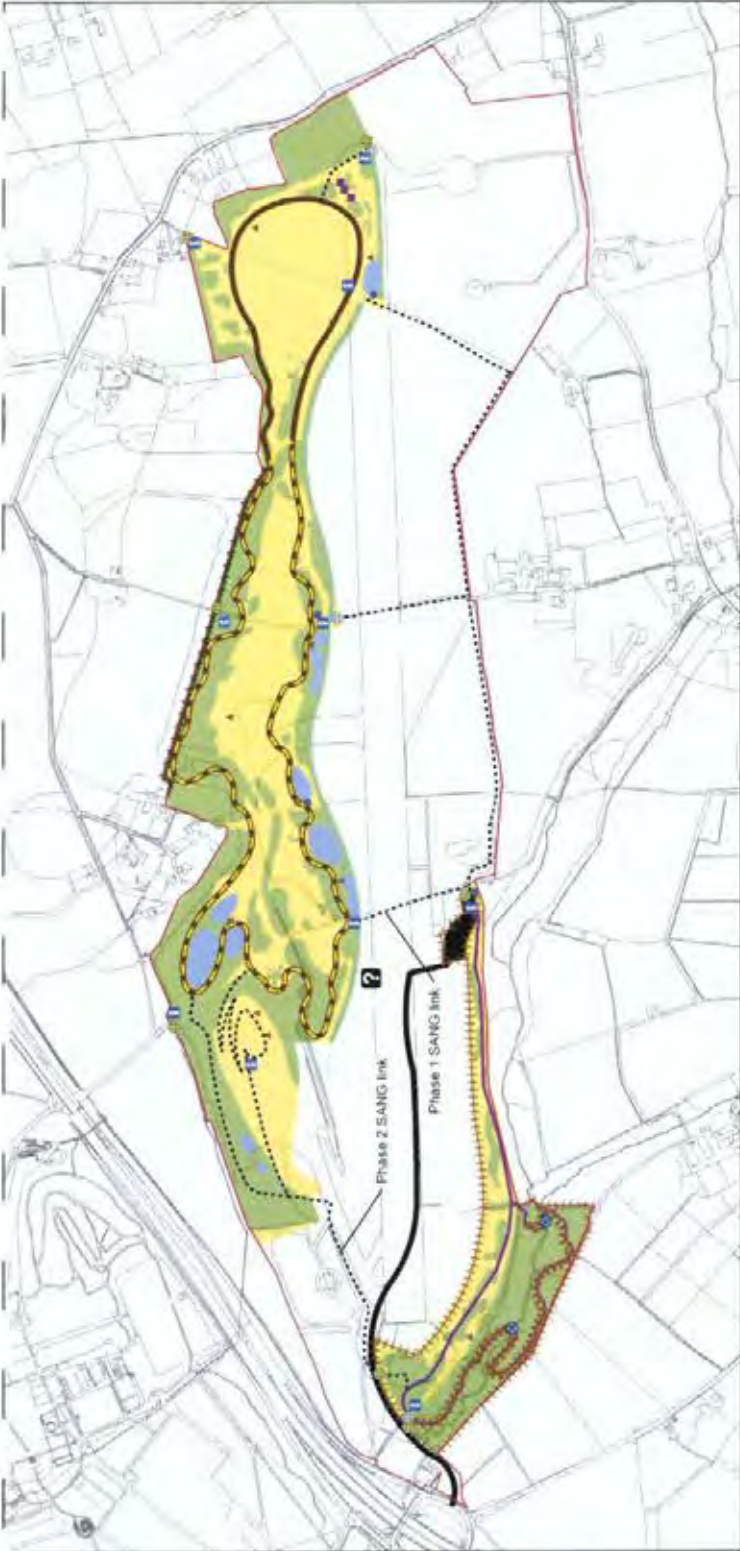


Ecological Planning & Research

CLIENT: Wisley Property Investments

PROJECT: Wisley Airfield

DATE: February 2016



MAP 11 SANG Phasing REVISED FOR ADDENDUM

KEY

-  Site boundary
-  Phase 1 (38.7ha)
-  Phase 2 (2.1ha)
-  Phase 3 (8.4ha)
-  Phase 4 (0.7ha)
-  3.9km Northern SANG circular walk
-  2.9km Northern SANG circular walk
-  1.8km Southern SANG circular walk
-  Other footpath links (3.8km)
-  Previous circular walking route
-  Road link from A3 to car park
-  Temporary construction access road



SCALE: 1:9,000 @ A3
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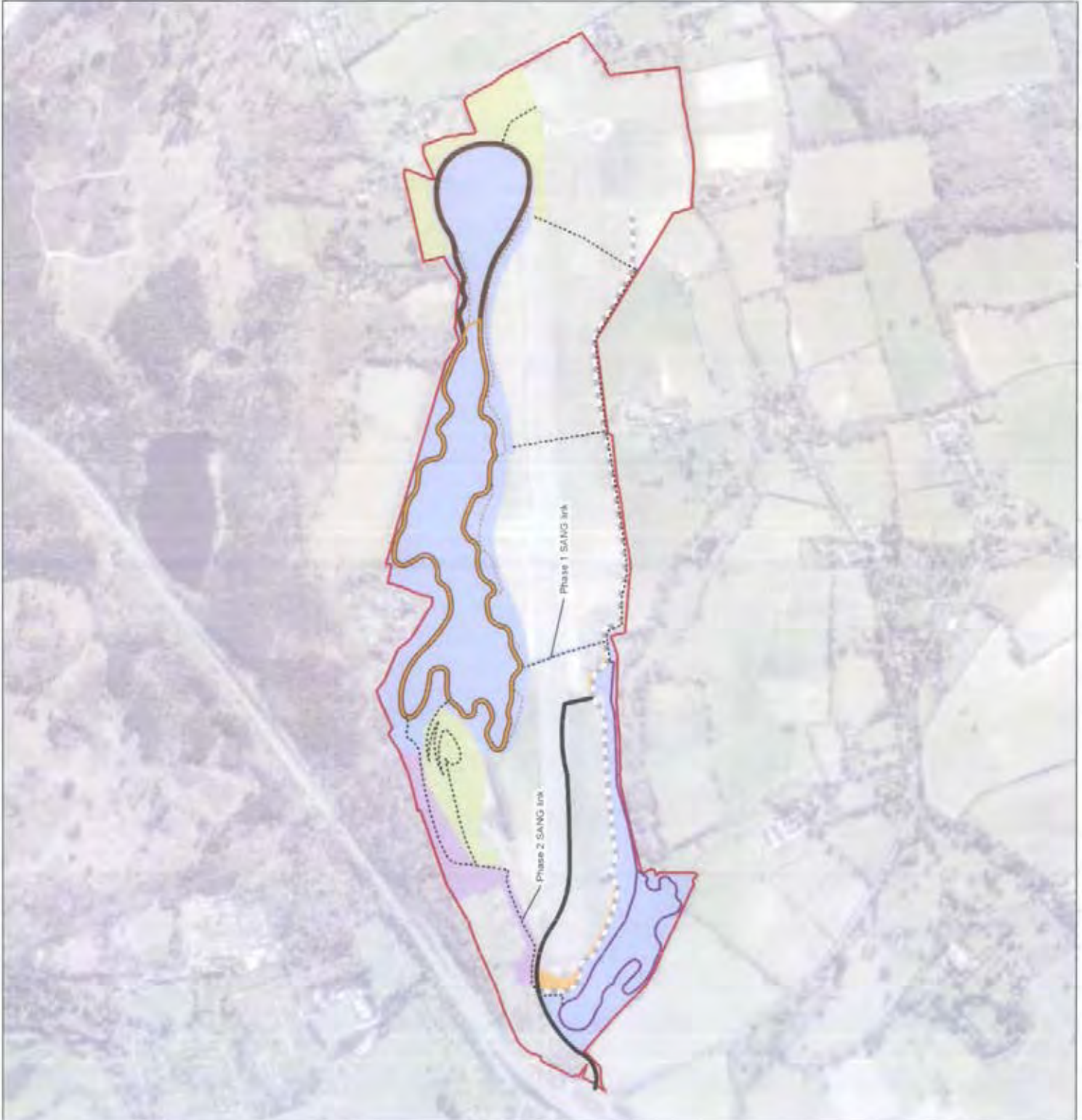


Ecological Planning & Research

CLIENT: Wisley Property Investments

PROJECT: Wisley Airfield

DATE: February 2016



MAP 12 Offsite PROW Improvements to be Delivered as Part of SPA Impact Avoidance Strategy REVISED FOR ADDENDUM

KEY

-  Site boundary
-  Special Protection Area (SPA)
-  SANG boundary
-  3.9km Northern SANG circular walk
-  2.9km Northern SANG circular walk
-  1.8km Southern SANG circular walk
-  Other footpath links (3.8km)
-  Boardwalk
-  Offsite circular recreational route (4.2km)
-  Road link from A3 to car park
-  Information boards
-  Parking
-  Cafe
-  Wildlife
-  Wifi
-  Bicycle hire
-  Woodland tump

SCALE: 1:10,000 at A3
 0 100 200 300 400 Metres



Ecological Planning & Research

CLIENT: Waley Property Investments Ltd

PROJECT: Wisley Airfield

DATE: February 2015



Information for Habitats Regulations Assessment Report – Figure 3 Revisions:



Information for Habitats Regulations Assessment Report – Figure 5 Revisions:



Section A - AA: Northern SANG



Section Location Plan (NTS)

Information for NE On behalf of: Wisley Property Investments LLP		PROJECT Wisley Airfield, Guildford	
Produced by: G. J. Architects 100 West Street, Guildford, Surrey GU1 2JY T: 01483 870000 E: info@gj.co.uk W: www.gj.co.uk		PROJECT TITLE Northern SANG Area - Rev A	
Date: February 2016 Scale: 1:250 @ A3 Technical Drawing: N/A			

SANG Outline Habitat Creation & Management Plan - Map Revisions

MAP 3 Site Masterplan REVISED FOR
ADDENDUM



<p>Prepared by: Wisley Property Investments LLP</p> <p>Author: John J. Stone, Neil Hawthorne, Paul Hawthorne</p> <p>10/01/2016 10/01/2016</p>	<p>Client: Wisley Airfield, Gulford</p> <p>Project: SANG Illustrative Masterplan</p> <p>Date: February 2016</p> <p>Scale: 1:2500 B.A.S.</p>
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Ecological Planning & Research

CLIENT: Wisley Property Investments
PROJECT: Wisley Airfield
DATE: February 2016

MAP 4 SANG Phasing

KEY

-  Site boundary
-  3.9km Northern SANG circular walk
-  2.6km Northern SANG circular walk
-  1.8km Southern SANG circular walk
-  Other footpath links (3.8km)
-  Phase 1 (36.7ha)
-  Phase 2 (2.1ha)
-  Phase 3 (8.4ha)
-  Phase 4 (0.7ha)
-  Road link from A3 to car park
-  Temporary construction access road



SCALE: 1:9,000 at A3



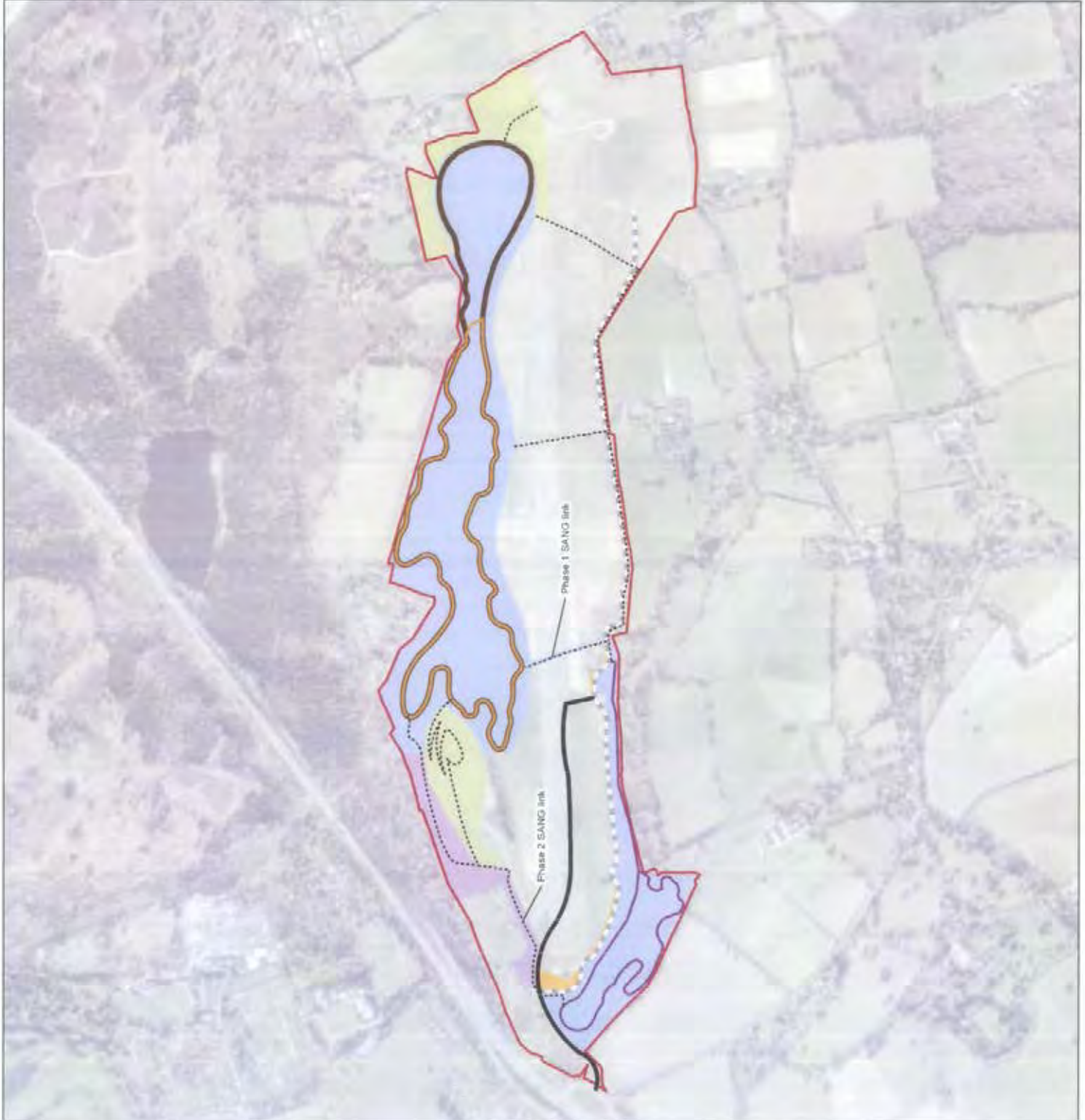
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CLIENT: Wisley Property Investments

PROJECT: Wisley Airfield

DATE: February 2016

Outdoor Survey © Crown copyright 2007. All rights reserved. Licence number 100005066



MAP 6 SANG Layout - Proposed Infrastructure REVISED FOR ADDENDUM

KEY

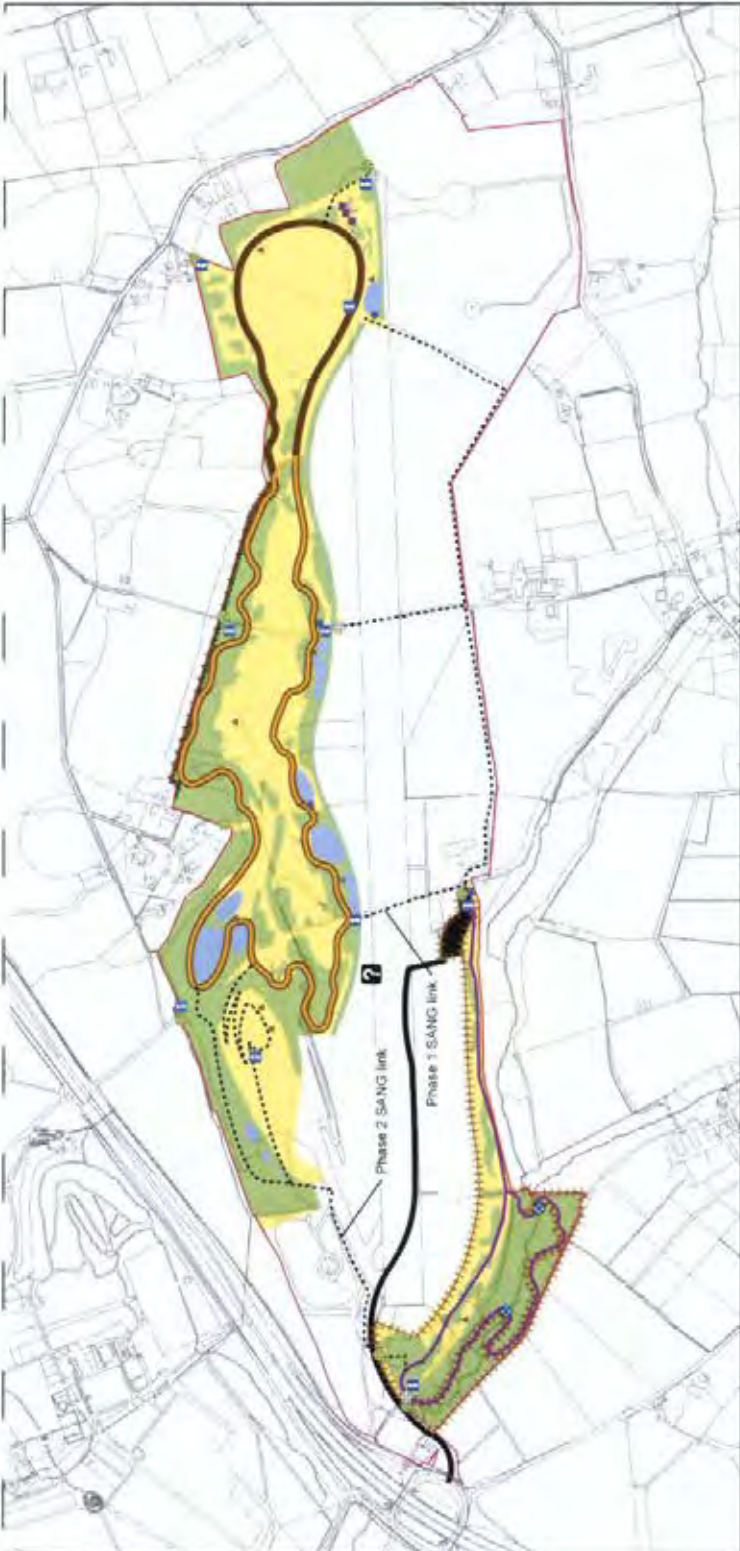
-  Site boundary
-  SANG boundary
-  Wooded habitats
-  Open grassland habitats
-  Pond
-  Car park
-  Road link from A3 to car park
-  3.9km Northern SANG circular walk
-  2.9km Northern SANG circular walk
-  1.8km Southern SANG circular walk
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-  Boardwalk
-  Fence
-  Hedgerow
-  Swale
-  Visitor centre
-  Kissing gate
-  Field gate
-  Footbridge
-  Information board
-  Bench
-  Picnic bench
-  Bin

SCALE: 1:9,000 at A3
 0 100 200 300 400 Metres



Ecological Planning & Research

CLIENT: Wisley Property Investments
 PROJECT: Wisley Airfield
 DATE: February 2016



Annex 1

SANG Character Areas



Typical Section Location Plan (NTS)

- Legend**
- Proposed SANG Circular Route
 - Existing SANG Circular Route

FOR DISCUSSION ONLY

Information for All	PROJECT Wisley Airfield, Guildford
On behalf of: Wisley Property Investments LLP	DATE: February 2016 SCALE: NTS
Produced by: SANG Character Areas	ISSUED BY: SANG Character Areas
Author: SANG Character Areas	Checked by: SANG Character Areas
Drawn by: SANG Character Areas	Reviewed by: SANG Character Areas
Approved by: SANG Character Areas	Approved by: SANG Character Areas



SANG Circular Route
 Section A - a
 1:25 @ A3

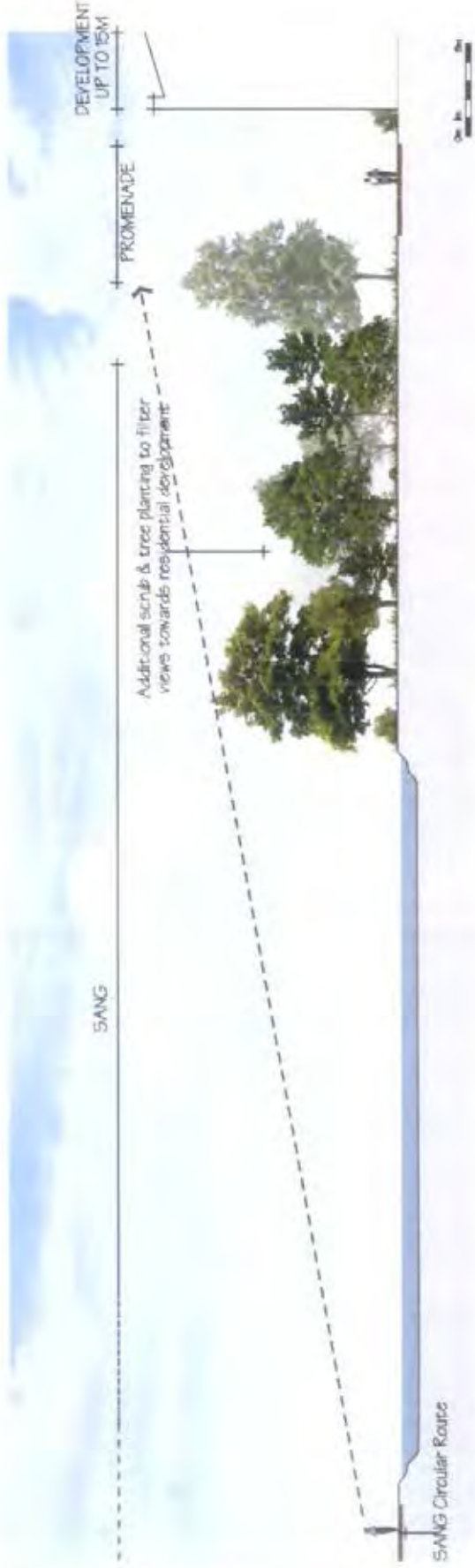
FOR DISCUSSION ONLY

Prepared for: Wisley Airfield, Guildford	
Prepared by: Wisley Property Investments LLP	
Date: 1 FEBRUARY 2015	
Drawing No: 1:25 @ A3	
Section: Section A - a	
Scale: 1:25 @ A3	
Project No: 1041 1:25 @ A3	



FOR DISCUSSION ONLY

Prepared for: Wisley Airfield, Guildford Prepared by: Wisley Property Investments LLP	Prepared for: Wisley Airfield, Guildford Prepared by: Wisley Property Investments LLP
Prepared for: Wisley Airfield, Guildford Wisley Property Investments LLP Wisley Airfield, Guildford Wisley Property Investments LLP	Prepared for: Wisley Airfield, Guildford Prepared by: Wisley Property Investments LLP
Date: February 2016 Scale: 1:125 @ A3 Location: Wisley Airfield, Guildford	Date: February 2016 Scale: 1:125 @ A3 Location: Wisley Airfield, Guildford



SANG Circular Route
Section C - c
1250 @ A3



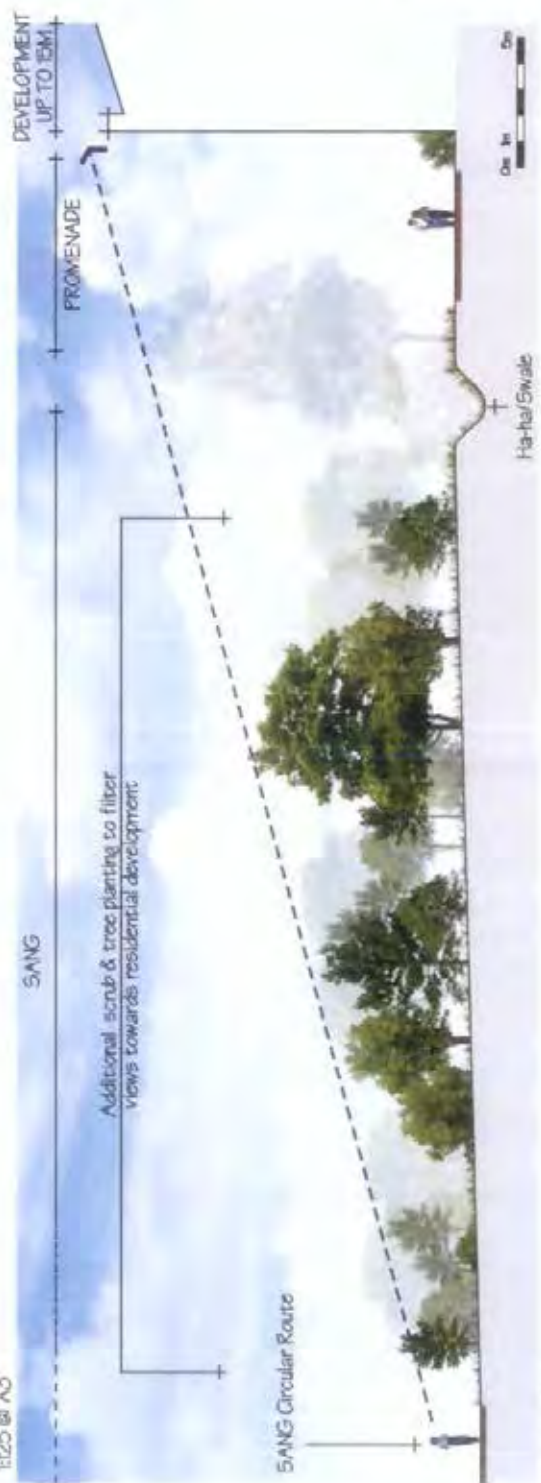
SANG Circular Route
Section D - d
1250 @ A3

Information for MR On behalf of: Wisley Property Investments LLP	PROJECT Wisley Airfield, Guildford
Produced by: Noel J. Bennett Landscape Architect 10023 100th 100th Avenue Richmond, BC V6V 1K8 Canada	DRAWING TITLE Sections C - c & D - d
DATE: February 2016 DRAWING NO.: 1250 (B A3)	
PROJECT LOCATION: Wisley Airfield, Guildford, Surrey, B.C.	

FOR DISCUSSION ONLY



Section F-f
1:25 @ A3



Section G-g
1:200 @ A3

FOR DISCUSSION ONLY

Prepared by: Wisley Property Investments LLP <small>10001, Oldfield Road, Wisley, Surrey, GU24 0NY, UK T: +44 (0)1430 850000 E: wisley@wi.co.uk</small>	PROJECT: Wisley Airfield, Guildford <small>December 2015</small>
Prepared for: <small>10001, Oldfield Road, Wisley, Surrey, GU24 0NY, UK T: +44 (0)1430 850000 E: wisley@wi.co.uk</small>	Sections F - f & G - g <small>20th February 2016</small>
<small>Project Location: N/A</small>	

Appendix 4
Sports England Standards

- Sports England Design Guidance Notes Artificial Surfaces for Outdoor Sport and Natural Turf for Sport
- Fields in Trust document Beyond the Six Acre Standard



Natural Turf for Sport

Updated guidance for 2011

Foreword

Sport England believes that good facilities are fundamental to developing sporting opportunities for everyone, from the youngest beginner to the international class athlete. The provision of good quality facilities, whether large or small, can be a springboard for developing civic pride and assisting the process of regenerating deprived neighbourhoods. Facilities that are well designed, built to last and well maintained are a pleasure to use and give ample return on the time and money invested in their construction and day to day management.

Good design needs to be based on a sound understanding of the current trends and practices within individual sports, developments in the sport and leisure industry and the lessons learnt from previously built schemes.

It is essential that this is embraced from the beginning of a particular project and instilled in the initial briefing stage through to the final detailed specifications and operational arrangements.



Sport England Design Guidance Notes aim to promote a greater general understanding of overall design concepts as well as an appreciation of technical issues and the critical design factors for individual sports. These need to be considered in reaching the appropriate solution for a particular project. They also advise where further information, advice and expertise may be found and point to benchmark examples.

Sport England's Design and Development Guidance Notes aim to:

- ***Increase awareness of good design in sports facilities***
- ***Help key building professions, clients, user representatives and other stakeholders to follow best practice***
- ***Encourage the development of well designed sports facilities that meet the needs of sports and are a pleasure to use.***

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• Development of standards		• Grass cover
• An overview of sports turf technology		• Upgrading pipe drained pitches
◦ Soil types		• Sand amelioration
◦ Drainage		• Irrigation
◦ Pitch economics and other factors		• Maintenance
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1.0 Introduction

This guidance note highlights the key issues that need to be considered in the construction of safe and sustainable natural turf pitches. It should be used as a point of reference in the process to ensure that suitable playing surfaces are created and maintained.

It focuses principally on pitches for the following sports¹:

- Baseball / Softball
- Cricket
- Football
- Rugby Union and League.

Appropriate planning, design, management and maintenance are critical factors and except for the smallest of projects, advice must be sought from qualified, experienced and independent professionals.

Seek expert advice from experienced, qualified and independent professionals from the start of a project.

Timely consideration of the pertinent issues will result in a good quality playing surface. This should ensure it is appropriate for the planned level, type and quantity of use and be physically as well as financially sustainable in the long term.

¹ For golf see: STRI – Guidelines for Golf Green Construction - Dr Stephen Baker
<http://www.stri.co.uk>

The European Institute of Golf Course Architects -
<http://www.eigca.org/>

The United States Golf Association
<http://www.usga.org/>

For hockey see: Sport England Design Guidance Note 'Artificial Surfaces for Outdoor Sport'

For tennis see: LTA 'Grass Court Guidance'
<http://www.lta.org.uk/>

STRI - 'Grass Tennis Courts How to Construct and Maintain them.' J Perris
<http://www.stri.co.uk/>

Avoiding common problems

It is essential to consider in detail all the implications of the proposal before deciding how to proceed. Failure to consider all aspects of the project early in the development process may result in lost opportunities and sub-optimal facilities. It may not be possible to correct resultant problems without making radical alterations to the construction.

Lack of appropriate planning in the early stages of the design of natural turf playing surfaces could be costly and severely affect the long-term viability of the project. A poorly considered proposal resulting in a mediocre facility will discourage users and/or increase maintenance costs to unsustainable levels.

Common problems can be summarised as:

- Inadequate site assessment
- Inappropriate specification
- Ineffective monitoring during the construction phase
- Poor site management
- Inexperienced contractors
- Unsuitable materials
- Inappropriate timing of construction work
- Inadequate maintenance
- Overuse.

The construction and maintenance of safe and sustainable natural turf surfaces is a fundamental prerequisite for the safety and enjoyment of participants of sport from the community level through to the professional game.

Development of standards

There have been a number of initiatives within the industry to define minimum standards and improve the quality of pitches. In particular the development of:

- Codes of Practice for Design, Construction and Maintenance (SAPCA)
- Performance Quality Standards (PQS)
- Model Contract Specifications ².

Performance Quality Standards (PQS) were originally developed by a voluntary technical consortium comprising representatives from the Sports Turf Research Institute (STRI), National Playing Fields Association (NPFA) and the Institute of Groundsmanship (IOG). They provided a mechanism for objectively benchmarking the quality and performance of natural turf sports surfaces.

Sport England successfully used the concept for the 'Playing Field and Green Spaces Programme' in 2003 and have since promoted the use of PQS's as key criteria for the design, procurement and construction of natural turf sports pitches. They provide a way to ensure that natural turf playing surfaces are constructed and maintained at an acceptable standard against a defined benchmark for a particular level of play.

A summary of PQS information is presented in Appendix 4 and represents selected key minimum criteria for football rugby and cricket ³.



A well-designed surface, properly constructed and maintained, is enjoyable to play on

² Downloadable from the Sport England website.

³ See IOG publications or specific guidelines for cricket set out in 'Recommended Guidelines for the construction, preparation and maintenance of cricket pitches and outfield at all levels of the game'. www.ecb.co.uk

An overview of sports turf technology

It is helpful to understand some of the science behind the design and engineering of natural turf and to appreciate that there are certain limitations. This requires specialist knowledge of soils, drainage and agronomy.

A natural turf surface is dependent upon the health of the grass and the type and strength of the soil. Inappropriate conditions and excessive usage can cause a cycle of wear and damage that needs to be limited through good sustainable design and maintenance.

Grass, like most plants needs light and heat from the sun, carbon dioxide and oxygen from the atmosphere and structure, water, oxygen and nutrients from the soil. When any of these components is compromised, the grass plant will suffer and will not recover from the stress of play.

Good natural turf sports surface design aims to ensure that the plant has sufficient, but not excess, of all these components.

A natural turf surface is dependent upon the health of the grass and the type and strength of the soil.

Soil types:

The proportions of sand, silt and clay particles within soils influence the characteristics that make them more or less suitable for individual sports. For example, sports like cricket and tennis, where ball bounce is critical, are best played on dry, compacted clay soils. A cricket pitch is hard when it is dry but will soon lose strength when it becomes wet – this is why rain can stop play.

In contrast, elite-level football and rugby are mainly played on very sandy soils. The reason for this is because sandy soils drain quickly and the strength does not change as much when the soil is wetted as in a clay soil. In football and rugby, play goes on when it rains so the surfaces must be able to maintain strength. Without strength in the soil, players will not be able to generate traction and playability is affected.



Poorly constructed and / or maintained playing surfaces are dangerous, affect quality of play and limit use

Drainage:

Good drainage contributes to maintaining surface strength and helps to maintain oxygen within the soil for plant roots. Sandy soils drain best, and this explains why many well known natural turf surfaces such as the Wembley pitch, the outfield at Lord's and the greens at many golf clubs have been constructed from sand.

But these are constructed surfaces, that required the sand to be imported to build the pitch. The reality in England is that most natural turf pitches are not built in this way. They tend to be located on the native soils that may often be poorly draining clay/silt soils.

However, drainage systems needs to be sustainable. Installing a drainage system into a clay soil increases the rate at which water reaches watercourses during a storm and for this reason drainage is becoming increasingly more regulated to help reduce the impact of flooding.

Pitch economics and other factors:

It might seem that the obvious solution is to build sand construction pitches but this is expensive because significant quantities of imported sand are required. So whilst this might be a solution for relatively smaller bowling greens, it is extremely expensive for large football and rugby pitches.

Other factors also come into play. Sands are naturally very free draining (helping remove excess surface water) but this can cause drought stress to the plant, meaning that an irrigation system is required. Again this might be possible for bowling greens but on football and rugby pitches, a large-scale irrigation system will be required adding extra cost to the initial construction. In addition,

water for irrigation adds extra cost to the ongoing maintenance budget and is likely to be more expensive to source as demand for water increases and supplies are stretched.

Sand soils also lack the nutrient retention properties of clay soils. This means that nutrients are washed from the soil, away from the plant and have to be replenished more frequently, increasing the fertilizer bill.

There are alternative and more sustainable strategies not requiring large amounts of imported sand, that still focus on improving drainage. By diverting the water from the poorly draining soils at the surface, to collector drains located below the surface via 'grooves' or 'slits' cut into the surface and then filled with permeable sand. The sand provides a 'super-highway' for water to move away from the surface where ball, player contact and wear takes place. These solutions still require maintenance but generally do not require irrigation or as much fertilizer as a full sand construction.

Sports pitches and the wider public realm.

See the following documents:

- ***For guidance on producing playing pitch strategies:***
 - 'Towards a Level Playing Field: A Guide to the Production of Playing Pitch Strategies'.***
 - Sport England / CCPR document - see Sport England website.***
- ***'Green Space Strategies - a good practice guide' by CABE SPACE on how sport pitch provision can relate to strategies in the wider public realm. The guidance draws on the principles of the Government's Planning Policy Guidance Note 17 and will help contribute to national objectives for better public spaces.***

www.cabe.org.uk/publications/green-space-strategies

- ***Specific sports have their own turf performance criteria that are tailored to the level of the game played. These provide a benchmark for the effective assessment, design, construction and maintenance of natural turf pitches.***

See Appendix 4.

2.0 General Project Planning

Key project stages

As with any construction project, it is important to proceed in a logical and efficient sequence. The key stages, project information and decisions are summarised below. However, more detailed guidance is provided in Appendix 3.

- **Preparation**
 - Appraisal of requirements
 - Business justification
- **Design**
 - Outline proposals
 - Scheme and planning
 - Detailed design
- **Preconstruction**
 - Detailed design information
 - Tender documentation
 - Tender process
- **Construction**
 - Project planning
 - Construction
 - Practical completion
- **Use**
 - Completion
 - On going maintenance.

The following paragraphs in this section describe some of the key issues that need to be considered when developing new or improved pitches. A competent and experienced pitch consultant will work with you to develop the right solution for your defined needs.

Appointing a competent pitch consultant

The selection of the right consultant for sports turf and sports drainage work is as critical as getting the right architect to design the clubhouse or sports hall. Choosing the right consultant will save time and money and will bring real added value to the design, construction and maintenance of the

pitch over many years. See Appendix 1 for further guidance on selecting the right consultant for the project and Appendix 2 for the schedule of services that a competent pitch consultant should be able to provide.

User profile

Information regarding types of use and users should be compiled from the outset of any project:

- Identify the sports to be played month by month so that the number and size of pitches required can be determined.
- Expected level of user performance, for example, local league, regional or national
- Each sport has its own set of PQS which constitutes the minimum acceptable performance criteria (e.g. drainage capacity, hardness etc.) for different levels of the game (e.g. local, regional or national). These are essential for the effective design, construction, maintenance and long-term sustainability of the surface.
- Likelihood that the facility will be used for training to determine the total anticipated number of hours of play per pitch per week.
- Number of times per week for each activity, duration and whether for junior or senior use
- Will artificial sports lighting be required?
- Is there a requirement for phased development which will affect the number of pitches available during the proposed construction period? Will there be a need to identify alternative facilities?
- Will there be any non-sport use during the year, for example, as temporary car parking or a venue for a local gala?
- What long-term resources will be available to maintain the playing surface?
- How much money is available to carry out the necessary work?

Additionally it is important to take into account of the likely long-term developments in sport that might affect facility use, for example, the introduction of mini-games or the move from the winter to the summer season. Consider also the need to introduce facilities for additional sports, for example, a cricket square located between winter games pitches.

Location of playing surfaces

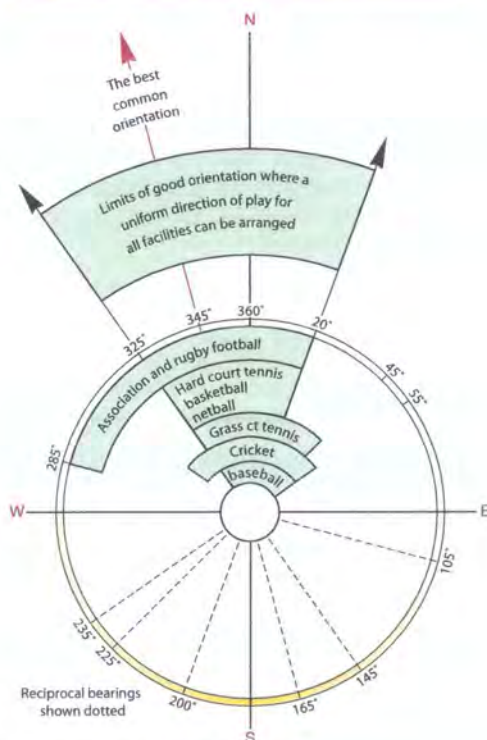
The shape and contours of the site will influence the location of the playing areas. This is particularly true for natural turf playing surfaces where the need for well-drained areas is paramount.

Careful consideration must be given to the specific requirements of the playing surfaces and the supporting ancillary facilities. It should not be assumed that because an existing facility, a pavilion or pitch, for example, is located in a certain position that it should stay there. Careful design will be rewarded by efficient layouts that are often easier and more economic to construct and maintain.

When analysing the suitability of a site ensure that:

- There is sufficient space for the proposed facility and space for future expansion.

The size and layout of pitches should take into account the level of play, necessary safety margins and optimal orientation.



Recommended pitch orientation

(Goal to goal, wicket to wicket, or baseline to baseline based on the National Playing Fields Association's pitch and orientation diagram, but amended to take account of ECB guidance).

- There will be adequate space for car parking based on local authority requirements and for any potential overflow.
- Access is available for service and emergency vehicles.

Requirements for proposed activities

Check all dimensions with relevant Sport NGB for relevant standards / levels of play.

Each sport will have specific dimensions defined by the relevant national governing body (NGB) or league. These requirements will not only define the size of the playing surface but will include 'safety margins' around it. Additionally, they may define relationships to other facilities such as a changing room or pavilion⁴. Other considerations include:

- Facilities and viewing positions should be orientated to avoid low sun angles.
- Ensure that there are no conflicting relationships between uses. For example, adjacent to a cricket pitch, do not locate an activity immediately behind the bowler's arm.
- Consider issues relating to access and security; visibility, lighting, roads and footpaths.
- Ensure adequate car parking provision can be made available.
- New developments will require planning permission involving the submission of detailed drawings. Car parking, access and potential effects on neighbours will be considered as part of the application.
- Protection of users from inclement weather should be provided.
- Requirements for temporary roads providing access for machinery during construction and for maintenance equipment that may be required later⁵.

⁴ See separate Sport England Design Guidance Note 'Pavilions and Clubhouses'.

⁵ See separate Sport England Design Guidance Note 'Car Parking and Landscaping Design'.

Feasibility study

A technical appraisal of the site must be carried out by a competent, independent professional.

The appraisal must take account of the expected usage and associated implications for the design and construction of the playing areas, and identify any potential restrictions or difficulties in developing the site, including the need for any further investigations. The study report should include outline proposals for the facilities with outline costs, an indicative programme for the proposed works and an estimate of when the facility will be available for play.

This should also indicate likely maintenance operations and associated costs and the capital cost of purchasing the equipment necessary to cover this essential work.

Site surveys

For most projects a detailed survey, with levels, will be required to establish the key features of the site. The areas for consideration are detailed below:

- The local climate and excess winter rainfall must be considered to evaluate the impact on the need for drainage and irrigation. For projects involving drainage, commissioning a consultant with experience of natural turf drainage (as opposed to civil or agricultural drainage) is essential.
- The topography of the site will determine the need for any level adjustment in order to comply with appropriate PQS. Sites with significant slopes will need to be regraded by cutting and filling the subsoil after stripping off the topsoil to produce playing surfaces with acceptable gradients.
- Where drainage improvements are required, a positive outfall should be identified into which water from the site can be discharged. Soakaways can be used in some situations, however these must be designed in accordance with recognised procedures.
- The need for irrigation requires assessment along with that of potential water resources and storage.
- The condition of physical structures, such as retaining walls and fences.
- The location and type of services that may affect the construction.
- Planting, including the location and condition of trees and whether they are covered by tree preservation orders (TPO).
- Site boundaries / perimeters: condition and ownership.

Undertake a detailed site survey. Key considerations include local topography, ground conditions and provision of effective drainage outlets.

Ground conditions

The particular ground conditions of the site should be fully understood and issues to consider include:

- The general underlying geology of the site including the type of soil and underlying rock formations. This information can often be obtained from geological maps, but needs to be corroborated during a detailed site investigation.



An investigation of the infiltration on the site is necessary to inform the design of the natural turf facilities

- The type and depth of the topsoil should be assessed by professionally qualified consultants with a detailed knowledge of sports turf.
- The potential for soil shrinkage to occur may influence the development options available.
- The site's natural drainage capacity including the permeability of the soil and subsoil should be assessed. Reliable information must be obtained from on-site sampling and associated laboratory analysis.
- The history of the site should be investigated to establish whether the site has been contaminated by tipping or other industrial uses.
- All reclaimed sites should be treated with caution. Former household refuse tips are vulnerable to localised settlement and the

production of hazardous gases. Glass and other debris in surface soils are hazardous to players, while the presence of asbestos, heavy metals or toxic chemicals can give rise to further complications.

- Investigations for the site can be carried out with an environmental search company to provide data on the site history and the possibility of soil contamination. This should be followed up by a detailed site evaluation if required.
- It may be necessary to engage a specialist company to undertake an assessment of contaminated materials on site.
- Rainfall levels will affect the performance of all surfaces. Areas of high prevalent rainfall will need higher standards of construction and drainage.
- Drainage design should also take account of recent climate trends and future projections.
- The scheme design must include the design, calculations and specification of a sustainable outfall or soakaway system (see section on Planning and Consents).

The pitch drainage system must be designed by a consultant with a detailed knowledge of sports turf drainage.



The condition of underlying soil needs to be assessed by a competent consultant

On some sites, industrial waste and possible contamination will require specialist advice on how this could impact on the development in terms of user safety, environmental protection and safe disposal



Red mottles in clay can indicate seasonal water logging and the need for land drainage

- The designer must prepare a fully specified maintenance schedule to ensure the surface is maintained to promote good grass establishment.
- The report must include recommendations for appropriate maintenance equipment and any special training that may be required to adequately maintain the pitch.

When planning a natural turf surface, it is essential to take account of the specific sports turf performance applicable (see Appendix 4) along with future maintenance requirements (see Appendix 5).

Key performance criteria for natural turf sports surfaces include:

- ***Grass height (mm)***
- ***Broad leaved weeds***
- ***Thatch (accumulation of organic matter)***
- ***Hardness***
- ***Water infiltration rate***
- ***Evenness***
- ***Slope***
- ***Ground cover.***

See Appendix 4

Planning and other consents

The consents required and the information needed to support any applications should be considered at the early stages of a project to avoid delays or abortive work. The planning authority should be consulted to understand the detailed requirements:

- For new pitch developments, or for demonstrating compliance with planning conditions, details and supporting information will have to be submitted for Planning Approval. Different levels of information are required for an 'Outline' or a 'Full' planning application and in some situations consultation with Sport England⁶. Site investigation and the feasibility study work will be needed to demonstrate that the new or improved pitch will be able to cope effectively with the proposed programme of use.
 - The planning officer and Sport England will use this guidance note and the PQS for the relevant sports to demonstrate that the new construction / the proposed pitch improvement works will provide a pitch that is suitable and will maintain its performance in the long term.
 - New developments will be screened by the Local Planning Authority to determine if a full Environmental Impact Assessment (EIA) is needed.
 - Information of primary environmental importance is identified through a scoping opinion obtained from the Local Planning Authority based on a preliminary review of the development proposals.
 - A full EIA usually includes the following topics:
 - Ecology
 - Landscape
 - Water quality / hydrology
 - Traffic and transport
 - Archaeology / cultural heritage
 - Land use and clarification
 - Social and economic factors.
- Legislation is in place to protect particular habitats, birds and animals and this legislation must be considered when developing designs for the site.
 - An Environmental Management Plan may be required, identifying potential environmental impacts and how these will be mitigated or managed.
 - Consent for drainage outlets may be required. This will be obtained from the relevant local authority and / or the Environment Agency.
 - The need to control flooding in watercourses and urban drainage systems is now paramount and in most cases there will be a requirement to follow the principles of Sustainable Urban Drainage Systems (SUDS). This will control the flow of drainage water from the site and appropriate designs, calculations and specifications will need to be prepared and approved. This can be very expensive in terms of capital and maintenance costs and therefore it is essential that they are designed by properly qualified and experienced consultants.
 - In England, for projects costing more than £300,000, a Site Waste Management Plan (SWMP) will be required setting out how materials will be managed to reduce waste during the project.

See Sport England web site for further information on planning applications.

http://www.sportengland.org/facilities_planning

Further information on making planning applications can be found on www.planningportal.gov.uk.

⁶ Planning applications that affects a playing field should be referred by the local authority to Sport England for comment. It is strongly recommended that Sport England is consulted prior to submitting an application.

See separate Sport England publication 'Making a planning application - A guide for sports clubs'.

3.0 General Pitch Construction

Contracts and contractors

This section discussed the general construction issues that arise in the creation of a natural turf pitch.

The procedures and arrangements for engaging contractors and supervising the contract are important as they can ultimately influence the success of the sports facility.

Having established the requirements for the site, the information should be set out in the form of a tender document. This should include a specification⁷ with drawings and sufficient information to enable the contractor to price the work as specified. Alternatively, the performance requirements for the work can be set out so that the contractor can develop a scheme on a 'design and build' basis.

The document should clearly define the conditions of contract to avoid any confusion regarding the work to be carried out, the programme and the arrangements for payment. Standard contract conditions are available to which specific requirements for the project may be added.

The tenders received should be properly assessed before awarding the contract. This may involve interviewing contractors for larger projects to ensure that all aspects of the project have been covered and costs included.

Proposed materials should be tested by a competent consultant and approved laboratory before work commences to ensure that they comply with the specification. Further testing of materials should be carried out during the works. An effective programme of monitoring the workmanship will ensure that good standards are achieved. It is very difficult and costly to rectify problems afterwards.

The work should be tendered to experienced contractors with a proven track record in sports turf development.

Clearly specified works and a well defined contract implemented by a competent contractor, combined with effective supervision and turf maintenance will eliminate many problems experienced with new turf sports facilities.

Site clearance

The general construction processes are set out in the following paragraphs:

- Site clearance
- Adjustments of levels
- Drainage - general principles
- Cultivation and seeding
- Early maintenance
- Maintenance equipment.

Before any clearance work can be carried out it is essential that all necessary consents are in place and that all measures to protect habitats, birds and animals have been carried out.

The site must be cleared of rubbish, rough grass and all unwanted hedges, trees and scrub before works start. Tree felling must only be done where absolutely necessary and after all consents have been obtained. If any waste is to be removed to a tipping facility it will require characterisation to establish the Waste Acceptance Criteria (WAC). This will govern the location of a licensed tipping facility suitable for the materials and the cost of disposal.

Adjustments to the surface levels

In general it is preferable to minimise the extent of earthworks and to carry these out under dry conditions, to reduce the potential for soil compaction.

A constant slope is desirable on all pitches to assist in shedding surface water in periods of heavy rainfall. The slope will also help drainage in areas such as goal mouths where heavy wear and tear would be expected. The actual gradient of the slope may depend on a number of factors including the overall drainage strategy for the site, specific features around the pitch and general topography.

Generally, depending on the standard of facility required, the playing surface should be no steeper than 1:80 - 1:100 along the line of play and 1:40 - 1:50 across the line of play.

Recommended maximum gradients are given in Appendix 4 (*Performance Quality Standards*) and with pitch construction options in Section 4.

⁷ See 'Model Contract Specifications' that are downloadable from the Sport England website.

Natural Turf for Sport

Design Guidance Note



Many sites require major regrading of levels

Where the surface is slightly uneven and the overall gradient is acceptable it may be possible to prepare a smooth surface by moving soil from slightly higher ground to lower areas with a blade grader. This can often be supplemented by spreading topsoil recovered from the building or car parking areas.

There must be a minimum of 150 mm 'firmed' depth of topsoil to promote and sustain a healthy grass sward. That is to say an expanse of short grass.

On steeper sloping or very uneven sites where extensive adjustment is necessary major regrading will involve altering the levels in the subsoil.

The first stage is to scrape off the existing topsoil cover and retain for eventual respreading. Avoid mixing the topsoil with the underlying subsoil. The levels are then adjusted in the subsoil using the surplus soil cut from the high ground to fill lower areas. In some situations imported fill material may be required to build up low areas.

Filling must be done in consecutive layers not exceeding 250 mm. Each layer must be adequately consolidated to avoid subsequent settlement. The final formation must be trimmed smooth to the required level before replacing the topsoil.

On completion of the grading operations the topsoil is replaced to a uniform depth to produce a finished surface that marries in with the surrounding ground levels.



To create a level surface, it may be necessary to strip the topsoil, regrade the subsoil, and replace the top soil



Slopes of surrounding banks should not exceed 1 in 3 to facilitate mowing

It should be appreciated that soil levelling will always have some impact on the soil structure and so it is essential to minimise this by conducting earthworks only under dry conditions. Stockpiling the soil for long periods should be avoided and the height of the stockpile should be kept to a minimum if possible. As a guide, the maximum height should be no more than two metres. It may be helpful to firm the surface of the soil to facilitate the shedding of surface water.

Where possible, the best topsoil should be recovered for the playing areas and care should be taken to prevent contamination with stones or rubble from any building work.

In some cases a high stone content in the soil, particularly sharp stones, may mean that the soil should be screened to ensure that a safe playing surface can be prepared. This will increase the tendency for soil compaction to occur and remedial action will be needed after respreading the soil.

In general, the height and gradient of banks around the playing areas should be kept to a minimum wherever possible. On steeper sites it may be necessary to take additional precautions to ensure that the banks are stable. This may involve the use of retaining structures and the advice of a qualified civil engineer may be required.

Any surrounding embankments should be no steeper than 1:3, for safe and effective maintenance.

In many locations, it is possible that rock or unstable ground may be encountered where a deep cut is necessary. This should be anticipated in the early design stages and an appropriate design prepared.

Natural Turf for Sport

Design Guidance Note

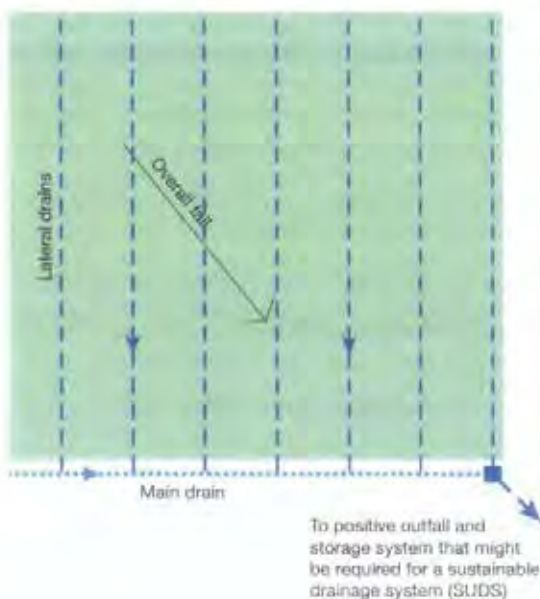
Where high banks are essential, consideration should be given to the safety of users and the maintenance required. Additional fencing may be needed along the top of a high bank.

For larger banks, a catchwater drain may be required to prevent any 'run-off' affecting adjacent playing and spectator areas.

Drainage - general principles

Consider the permeability of the soil and the requirements for the drainage systems and the long term maintenance of good drainage.

In some instances, particularly where the indigenous soil has a high sand content, the natural drainage capacity of the site soil may form an effective basis for a good playing surface, although this is unusual. In most cases the soil is less permeable and so an effective drainage system must be provided to prevent deterioration of the playing surface and to ensure that the required standards can be met. The natural contours of the ground may be able to assist the drainage system and these should be carefully



A typical pipe-drain layout for football and rugby pitches with main drain outside the playing area. The overall slope of the pitch assists the new drainage system



The rate at which water moves through the surface can have a major impact on the quality of the facility



Adjacent water course can provide a convenient means of achieving efficient drainage provided that a 'land drainage consent' can be obtained

studied against the recommended slope requirements for the pitch. See Appendix 4 - Performance Quality Standards.

The need for well drained pitches with a smooth even surface is paramount.

At the feasibility stage it is essential to consider the effect of 'run-off' from adjacent areas or new embankments.

The capacity of surrounding drainage infrastructure must also be considered and, in particular, whether there is a restriction on the drainage discharge from the site. It may be necessary to carry out infiltration tests so that an effective system of soakaways or an attenuation facility to control the flow can be designed and constructed.

The design of the drainage system must take account of the intended frequency and standard of use.

The intensity of drainage infrastructure installed may vary for different pitches on the same site



Drain installation normally requires the use of specialist trench machinery fitted with laser guidance

according to the nature of use. The main pitch, where the most important matches are played at specified times, will require greater reliability and therefore the installation of a more intensive drainage system.

An effective pipe drainage system is fundamental to all sports turf drainage. On pitches this may be supplemented with a secondary system of slit drains or sand grooves. This will provide a more intensive system to offer more rapid surface drainage.

These systems can be installed with specially designed equipment to reduce the damage to the soil surface or existing turf. Backfilling trenches can also be carried out with purpose designed equipment with low ground pressure tyres or on tracks to reduce the impact of carting heavy aggregates, such as sand and gravel.

Drainage systems should be designed to intercept the movement of water down the main slope of the site. The layout of the systems should be as simple as possible with good access points provided for inspection and maintenance such as removal of silt accumulation in silt traps and clearing blockages in pipes by rodding or jetting.

The permeable trench backfill material should be carefully specified to ensure that it meets the required drainage performance criteria and that all materials are hydraulically compatible (i.e. an abrupt change in the range of particle sizes contained within adjacent layers can impede water movement). Drain trenches and slits should be wide enough to ensure that water can flow satisfactorily through the permeable fill to the drains. It is also essential that water flow into permeable drain trenches is not impeded by inadvertent capping over with less permeable material.

Very often, there is a requirement to attenuate drainage water before it reaches its final outfall (e.g. ditch, river, or connection to the surface water drainage scheme). These systems may comprise the following:

- Attenuation basins, ponds or lakes
- Grassland swales
- Shallow or deep-bored soakaways.

The design of such systems is site specific, and typically, will be subject to statutory approval from the Environment Agency, who will require supporting calculations to demonstrate its compliance to their requirements⁸.

For recommended methodologies for calculation of drain flow and greenfield run-off rates see ADAS Reference Book 345: ISBN 0 11 241515 6 Institute of Hydrology Report No. 124 – 'Flood estimation for small catchments'.

Cultivation and seeding

The preparation of the soil or rootzone material (i.e. a mixture of sand and soil) is critical to the standard of the finished playing surface whether it is for a bowling green, football pitch or cricket field.

The surface should be smooth and even at the designed gradient with a fine tilth for good seed germination, emergence and establishment.

Major nutrient deficiencies can be rectified more easily at this stage by incorporating the fertilizer through the topsoil. The type and quantity of fertiliser should be based on soil analysis to ensure that the nutrient levels are satisfactory to promote good growth.

For football and rugby pitches it may be advisable to incorporate sand into the surface of the pitch to improve infiltration and to improve surface playability.

Seeding should be carried out at the optimum rate to promote good sward density. An appropriate mixture of seed should be selected for the type of use with reference to the Seed Booklet produced by the STRI and the British Society of Plant Breeders.

⁸ See design and construction of such systems at <http://www.ciria.com/suds>.

General maintenance

Performance Quality Standards (PQS) provide a benchmark for assessing the efficacy of maintenance operations in terms of achieving and maintaining the quality and performance of natural turf sports surfaces.

Refer to Appendix 4 for selected key PQS.

If weeds, pests or diseases are evident, herbicides and pesticides should only be applied according to manufacturer's recommendations, and by qualified personnel holding the relevant certificate issued by the National Proficiency Test Council (NPTC). www.nptc.org.uk

As soon as the grass has started to establish, a rigorous programme of aftercare must commence with a sequence of operations to encourage the development of a strong dense sward.

This must continue until the surface is ready for play. The turf will continue to mature and the ongoing maintenance must take this into account.

A fully specified maintenance schedule must be produced by a competent Consultant and acted upon. Consider the frequency of mowing, aeration, irrigation, seeding, use of fertilizer, and weed/pest control.



During periods of dry weather, it may be necessary to irrigate newly seeded areas

The management regime for a new facility is different to that required for old, well established turf:

- Regular mowing is fundamental to the maintenance of surface quality. Frequency of mowing will depend on the time of year and will vary according to the location of the site.
- To aid growth and recovery, as well as to maintain good presentation, fertilizer must be applied at the optimum rate and at appropriate times. The exact requirements must be determined by soil analysis.
- Aeration, the process of increasing the availability of air to soil and roots, is essential to relieve compaction and maintain surface drainage. Additionally, it promotes strong root growth and sward resilience.
- Irrigation may be required to aid grass growth during dry periods.
- Regular seeding is necessary to repair damaged and weakened areas of turf. Full grass cover is essential to maintain consistency and to prevent weed invasion.
- Ongoing preventive measures are required to protect the playing surface from pest damage.

Specific maintenance requirements for each type of playing surface are detailed in the appropriate sections that follow.

Maintenance equipment

There are two main approaches to the provision of maintenance resources; to either employ staff and purchase own equipment or to engage a turf maintenance contractor.

It is possible to hire specialist machinery used occasionally to supplement the basic equipment. Hiring equipment and engaging contractors will save on the initial capital cost. It will also reduce problems associated with maintaining the machinery in a safe and efficient condition. The appropriateness of this method will depend on the size of the facility and the availability of skilled local contractors with the appropriate equipment. Factors to be considered are presented in Appendix 5 - *Maintenance resource check list*. It may be possible to purchase some maintenance materials and achieve savings but this will depend on the purchasing power of the contractors.

Appropriate timing of maintenance operations in relation to the weather and ground conditions is important for the effective maintenance of the turf. Where contractors are appointed for maintenance, it is essential they are contracted to achieve the performance standards with all operations carried out at the appropriate times and under the right conditions. It is paramount this is taken into account by grounds staff and contractors.

In practice, a combination of these approaches may prove to be the most economical and effective. The cost of maintenance will vary considerably according to the method of procurement and the availability of contractors and materials.

Good maintenance practice is regarded as the most important factor influencing the success of a new pitch development⁹.

Designers should consider maintenance and capital cost together.

A budget should be prepared to provide for new equipment, annual servicing and the replacement of worn out implements to ensure the quality of the playing surface is maintained.

Create adequate, secure storage provision for maintenance and sports equipment.

Facilities must be provided for the secure storage of equipment on site with space for materials that are used for maintenance such as top dressing sand or cricket loam.

Provision must be made for the safe storage of pesticides, all other chemicals and fuels conforming to current legislation. Additional information on pesticide storage is available in the Agriculture Information Sheet No. 16 available from the Health and Safety Executive¹⁰.

Protective measures must be adopted to prevent the discharge of any contaminated drainage water to public sewers or watercourses. To this end, care must be taken to ensure that waste materials (e.g. grass clippings, engine oil etc.) are stored appropriately prior to disposal.

⁹ SAPCA Code of Practice for Design, Construction and Maintenance of Natural Turf Pitches.

¹⁰ www.hse.gov.uk.

4.0 Football and Rugby Pitches

This section discusses in more detail the use, design, configuration, construction, establishment and ongoing maintenance of football and rugby pitches. The summary table on page 27 shows estimated costs, maintenance and the advantages and disadvantages of various construction techniques.

Traditionally, football and rugby union are played on a seasonal basis when grass growth is minimal and soil very wet. Frequently grass cover is worn at the beginning of winter and quagmire conditions can develop in high wear areas of the pitch such as goalmouths and centre circles. As a result players are unable to experience a satisfactory quality of game.

The pressure to get matches played means they often take place at inappropriate times, for example, during heavy rain. Frequently, maintenance routines during and after the season are unable to restore the pitch to an adequate state for quality play to take place. A vicious circle of deterioration sets in as a direct result of poor drainage and compaction of the playing surface.

Designing for likely use

Performance Quality Standards (PQS) provide a benchmark for the quality and performance of natural turf sports surfaces, as well as to assist with their management. These constitute the minimum acceptable performance criteria (e.g. drainage capacity, hardness etc.) for different levels of the game (e.g. local, regional or national) and are an essential mechanism for the effective design, construction, maintenance and long-term sustainability of the surface. Refer to Appendix 4 *Performance Quality Standards* for PQS relating to football and rugby.

The majority of playing surfaces require a designed drainage system to provide satisfactory playing conditions throughout the playing season.

Consider the frequency and intensity of use. A hard wearing seed mixture would be suitable for pitches with winter use.



Good surfaces maintain safety levels and maximize quality of play

Poor construction, lack of effective maintenance and overuse of the pitch will, eventually, lead to poor drainage and unacceptable playing conditions. It is essential that pitches are designed taking into account the estimated intensity of use.

Players under the age of 15 are judged to inflict about half the damage to a pitch than their more senior counterparts. Therefore, a pitch used predominantly by juniors can accommodate approximately twice the capacity of one used solely by more senior players.

The pattern of use must be taken into account when designing a pitch. Where use primarily takes the form of a large number of games played during weekends with little play during the rest of the week, demand cannot be staggered to make best use of a single 'high specification' pitch. In these circumstances, general upgrading of pitches using sand grooving or slit draining and sand amelioration (i.e. the incorporation of sand into the surface to improve playability - see Section 4 *Pitch Construction* pages 21-27) would be more appropriate than the creation of a single 'premier' pitch.

Pitch configuration

The layout of the pitches should be considered carefully to maximise the use of the available space and the future flexibility. Pitch marking with safe clearances and ball stop fencing where appropriate should meet the current recommendations of the relevant sports NGB.

The location of spectators needs to be considered to avoid interference or damage to adjacent playing surfaces. This can be a particular problem if football /rugby pitches are located too close to a cricket square.



Laser-guided grading of a pitch

Pitch construction

Pitch construction falls into six main categories according to the system of drainage used:

- Type 1: Undrained
- Type 2: Pipe drained
- Type 3: Pipe drained with mole drains
- Type 4: Pipe drained with sand grooves
- Type 5: Pipe drained with slit drains
- Type 6: Topsoil and drainage layer
- Type 7: Suspended water table.

Increasingly the 'Type 4: Pipe drained with sand grooves' system is seen as the most suitable for the creation of good quality pitches as it is cost effective to construct and produce a pitch that, in most cases, is also cost effective in terms of maintaining the specified sports turf performance criteria. Sand grooving systems are now widely recognised as being preferable to the more traditional slit drain systems which are prone to premature failure due to limited resources of facility operators in terms of irrigation and sand top dressing requirements.

It should be noted that undrained and even pipe drained solutions are unsuitable for clay soils.

In some situations it may appropriate to adopt different standards of drainage for different pitches on a single site. Key matches played at specific times on the main pitch may require a more intensive system of drainage to provide the reliability in wet conditions. Pitches for more routine use may not be subject to the same intensity of use and it may be possible to adopt a different approach to the development of these pitches.

It is essential to take professional advice from a sports turf specialist to ensure that the quality of the pitches is not compromised and the chosen solution is sustainable.



Type 1: Undrained

There are few situations where pitches of this type will provide a sustainable, quality playing surface. They are likely to be of use only on naturally well-drained soils. For example, sand, well-structured topsoil over gravel, limestone or chalk and where there is sufficient gradient to assist in shedding excess surface water.

There are very few situations where undrained pitches will be suitable.

Type 2: Pipe drained

In the past, simple pipe drainage has been the most frequently used system. However, unless the site has reasonably free-draining sandy soil or sufficient gradients to remove large quantities of water by surface shedding, pipe drainage alone is often inadequate and the pitch can be susceptible to wet weather cancellations. The system requires:

- Corrugated plastic pipe lateral drains that are usually installed at 5 - 10 m centres at a depth of 450 - 600 mm below ground level.
- Increasingly twin wall pipes are being used for main drains providing a more rigid pipe with better flow characteristics.
- All drains must be laid with a steady fall with the pipe diameter and gradient designed such that the design flow rate can be achieved. Falls in the region of 1:100 are common.
- A positive outfall must be provided in the form of an existing watercourse or surface water system or an effective soakaway system should be constructed. This will have to comply with requirements imposed by the drainage authority or Environment Agency.

When the drains have been laid trenches must be backfilled with porous material to ensure that the high percolation rates necessary for effective drainage are achieved.

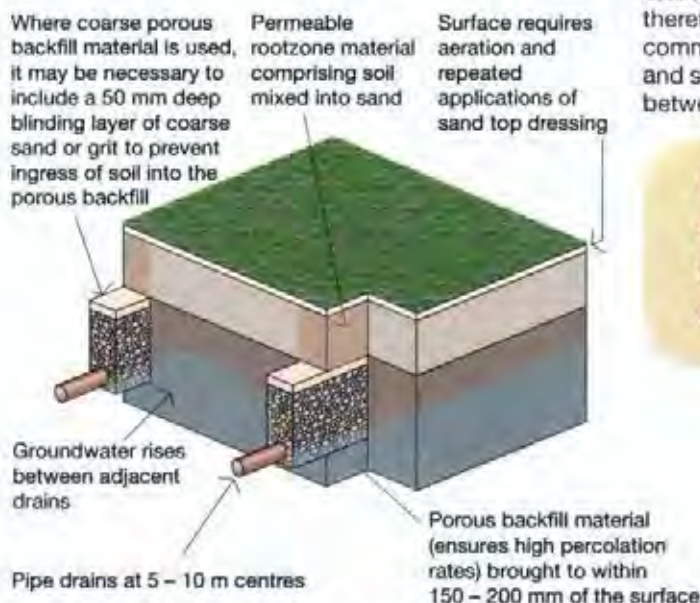


Installing pipe drainage in a new pitch

Predominantly single-sized, hard, angular gravel or broken stone within the range 6 - 10 mm must be used as backfill. This should be brought to within 150 - 200 mm of the surface.

The trench backfill is often 'capped' with a 50 mm 'blinding layer' in the form of coarse sand or fine grit to prevent infiltration of the topsoil. The trench is backfilled to ground level with preserved topsoil or an imported, permeable sandy rootzone material.

Given reasonably permeable soils and good management, fairly good playing surfaces can result. However, in many areas of the UK this method is not suitable, given the slowly permeable nature of the indigenous soil. This system is therefore generally only suitable for situations where the indigenous soil is permeable but is affected by shallow groundwater levels. The lateral drains serve to 'pin down' the water table. It is therefore essential that a competent consultant is commissioned to establish the optimal drain depth and spacing to ensure that wet strips do not occur between adjacent drain runs.



Pipe drainage construction on cultivated topsoil

Pipe drained systems alone are only suitable for free-draining sandy soil conditions.

Type 3: Pipe drained with mole drains

Mole drainage potentially offers a very cost-effective solution to surface water drainage. This system comprises pipe drains installed at 5 - 10 m centres in combination with mole drains installed at approximately 1 m centres. The mole drains are created by a tractor-mounted mole plough which creates stable channels within the clay subsoil that are connected to the surface through fine fissures and by the leg slot, and that also connect with the permeable backfill over the pipe drains.

For this approach to work, the clay content must be sufficiently high (> 30%) and the clay must be of the correct mineralogy such that it does not disperse when saturated. Soil samples should be tested to confirm the suitability of this approach. However the following should be noted:

- Mole channels have a finite operational lifespan and typically, re-moling will be required every three to five years.
- Some clay soils suffer significant shrinkage on drying and there is a risk of surface cracks developing might make the pitch too dangerous to play on. This is most likely to occur during the first summer after mole drainage installation.
- The risk of large surface cracks developing can be mitigated to some degree by installing closely spaced linear slits (typically at 260 mm spacing), parallel to the mole drains so that numerous small, but safe, cracks develop.



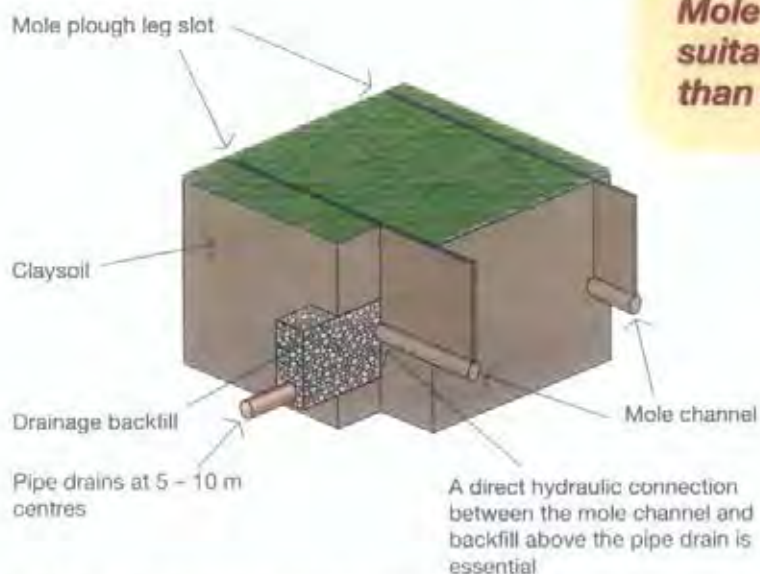
Cross-section through pitch showing a mole channel and leg slot



Mole plough

Mole ploughing a pitch

- Successful mole drainage is dependent upon a number of interacting factors (e.g. clay stability, clay plasticity, mole channel depth, mole plough size and mole plough set-up). It is therefore strongly recommended that advice is sought from a sports turf consultant experienced in mole drainage.



Mole drainage construction on cultivated topsoil

Mole drains are only suitable for soils with more than a 30% clay content.

Type 4: Pipe drained with sand grooves

This type of construction is now becoming the most frequently used type of drainage system where an effective pitch construction is required, and provides an intensive and effective method for intercepting water from the pitch surface. It is cost-effective to construct and maintain as well as reducing the potentially serious problems of shrinkage associated with the pipe drained with slit drainage form of construction.

The pitch construction is similar to that of the pipe drained pitch above with the addition of a series of sand grooves, approximately 150 mm deep and 20 mm wide, introduced by a machine at a spacing of 260 mm. These grooves are forced into the soil with a tine rather than being created by excavating a narrow trench, and can be filled with sand or fine grit. It is essential that the sand grooves connect efficiently with the permeable backfill of the pipe drainage system below.

Heavy top dressings of suitable sand are essential for the successful construction and management of pipe drainage and sand grooved pitches:

- The dressing should be applied immediately after installation of the sand grooving and subsequently reapplied as part of routine maintenance works in the close season. This process will be necessary for at least three to five years following installation.



Sand grooves installed at 260 mm centres

- Each application of dressing should be in the region of 60-100 tonnes, depending on the size of pitch.

Pipe drainage with a secondary drainage system is considered to be the most suitable type of construction for the creation of good quality pitches that can meet the necessary PQS.

Where coarse porous backfill material is used, it may be necessary to include a 50 mm deep blinding layer of coarse sand or grit to prevent ingress of rootzone into the porous backfill



Pipe drainage construction on cultivated topsoil with supplementary sand grooving

Type 5: Pipe drained with slit drains

Supplementary slit drains will significantly improve the removal of water into pipe drains. Basically the construction mirrors that of a pipe drained system with the addition of a series of narrow, commonly 50 mm wide, sand and gravel filled trenches excavated across, and into the porous backfill of the lateral drains. Slit drains are typically 250 - 350 mm deep and installed at 0.5 - 2.0 m spacing.

Heavy top dressings of suitable sand are essential for the successful construction and management of slit drained pitches.

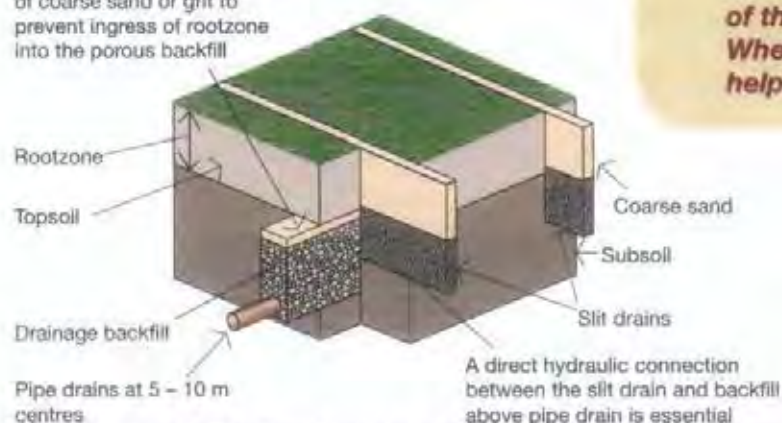
The dressing should be applied immediately after installation of the slits and subsequently reapplied as part of routine maintenance works in the close season. This process will be necessary for at least three to five years following installation.

Each application of dressing should be in the region of 60 - 100 tonnes, depending on the size of the pitch.

A drawback of slit drains is that they can become capped and sealed over with topsoil, which can



Where coarse porous backfill material is used, it may be necessary to include a 50 mm deep blinding layer of coarse sand or grit to prevent ingress of rootzone into the porous backfill



Pipe drainage and slit drainage construction on cultivated topsoil



Combined pipe and slit drainage will significantly improve the drainage of most pitches

render them ineffective. Also, slit drains installed in clay soil can be prone to settlement in dry weather due to the clay shrinking on drying. They therefore require frequent topping up, particularly during the first year following installation, to prevent an uneven and possibly dangerous surface developing. It is for this reason that 'Type 3' constructions, comprising narrowly spaced sand grooves, are becoming the industry standard for improving the surface drainage of pitches.

Adequate maintenance is essential in order to produce and maintain a vigorous, dense sward.

It should be noted that pipe drained surfaces with slit drains might:

- ***Be uneven during the first season.***
- ***Settle in the summer months due to shrinkage in clay soils. These must be monitored and filled with sand to maintain the safety and quality of the surface and the effectiveness of the drainage system. Where available, irrigation will help to reduce this problem.***

Type 6: Pipe drained with topsoil and drainage layer

In some cases, particularly on reclaimed land such as former school buildings, it may be appropriate to develop pitches on a drainage layer or grit raft combined with a soil growing medium rather than a sand based rootzone material as used in the suspended water table construction (see Type 7).

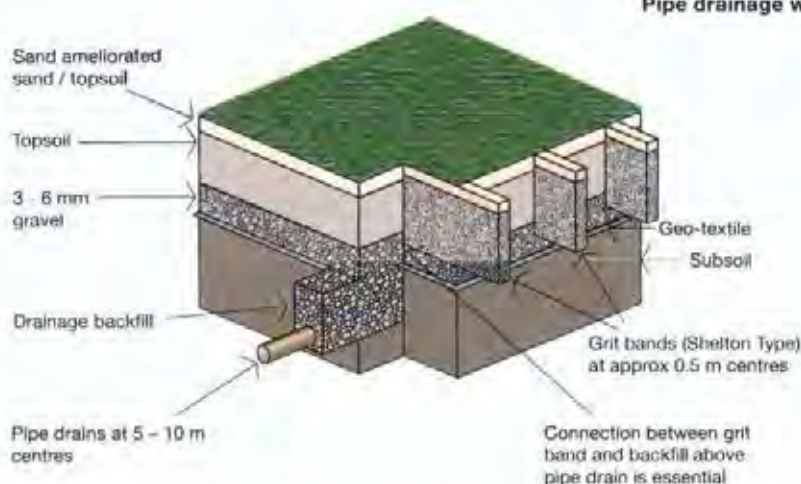
This approach can produce a higher standard of playing surface but with less reliance on high rates of fertilizer or irrigation compared with a sand-based pitch profile (e.g. Type 7).

The method can be used effectively where the underlying subsoil materials are unsuitable for a conventional pipe and slit system.

It is essential to include a secondary system to connect effectively through the soil to the grit layer.

The design of the profile and the materials used are critical to the successful development of the pitch and depend on the soil available.

As with all pitches, the need for good maintenance is essential and irrigation should be included.



Pipe drainage and slit drainage construction on grit raft

Type 7: Pipe drained with suspended water table

This type of construction forms the basis for very high standard pitches and is very demanding in terms of management, particularly with regard to fertilizer and irrigation requirements. The more efficient the drainage system, the greater the need for effective irrigation and feeding. This method is appropriate for a high standard of pitch where the timing of matches is critical or for training at a high level, e.g. for a professional football or rugby club.



Pipe drainage with water table suspended above gravel raft

Table 1 Summary of pitch drainage types

Pitch type	Adult weekly use ¹¹ (hours)	Comparative capital and maintenance costs for different pitch types based on a senior football pitch (£) (Ex. VAT)		Advantages	Disadvantages
		Construction and / or improvement works ¹² (including 12 months maintenance)	Ongoing annual maintenance costs ¹³		
1 Undrained	Under 2	15,000 up to 45,000 (Regrading)	5,000 – 10,500	Low capital cost.	Likely to be suitable only in naturally well-drained soils.
2 Pipe drained	2 - 3	40,000 (Drainage) up to 70,000 (Drainage + regrading)	5,000 – 10,500	Low capital cost. Drainage intensity can be increased later. Can be very effective in controlling shallow or rising groundwater.	Susceptible to cancellations in wet weather. Suitable only as a 'dry weather pitch'.
3 Pipe drained with mole drains	2 - 4	42,500 (Drainage + mole drains) up to 72,500 (Drainage + mole drains + regrading)	6,000 – 11,000	Aeration when conditions allow. Sand dressing not essential, but beneficial. Re-molting every 3 - 5 years.	In dry weather, surface cracks can render pitches unplayable
4 Pipe drained with sand grooves	3 - 6	72,500 (Drainage + sand grooves) up to 102,500 (Drainage + sand grooves + regrading)	7,500 – 12,500	Cost-effective way of improving drainage thereby allowing increased use without damage to the playing surface. Can be used to reinstate slit systems capped with topsoil. Lower cost and less susceptible to soil shrinkage problems.	Bands may be capped with topsoil more easily. Depth of bands limited and may not connect with drain trench backfill.
5 Pipe drained with slit drains	3 - 6	70,000 (Drainage + slit drains) up to 100,000 (Drainage + slit drains + regrading)	7,500 – 12,500	Cost-effective way of improving drainage thereby allowing increased use without damage to the playing surface.	Silts can be capped and sealed with topsoil significantly reducing drainage rates. Surface may be uneven in the first season. Slits may open up during the summer due to soil shrinkage.
6 ¹⁴ Pipe drained with top soil and drainage layer	3 - 6	145,000 (Drainage + reusa of topsoil from site) up to 240,000 (Drainage + importation of topsoil)	5,000 – 10,500	Increased drainage rates and wear tolerance. Can be constructed over poor subsoil material. With proper maintenance a hard wearing surface can be achieved.	Higher level maintenance required. Pop-up irrigation may be required.
7 Pipe drained with suspended water table	4 - 6	380,000 – 510,000	10,500 – 20,000	Increased wear tolerance and the performance of play. Very high drainage rates achievable. With proper maintenance a very high standard of playing surface can result.	Regular high level of maintenance required. Pop-up irrigation system essential.

¹¹ These figures are a general guide. The playability of pitches depends upon a combination of prevailing weather conditions, physical characteristics of the soil profile and the standard of management provided. The usage levels shown will increase by approximately 50% for players 15 years of age and under.

¹² Estimated at 2011 rates including an allowance for professional fees and contingency. They exclude associated external works and site abnormalities which are site specific and subject to site survey.

¹³ Estimated at 2011 rates for situations ranging from where volunteer help is available (e.g. for mowing, fertilizer application, spiking and line marking) to all maintenance operations being contracted out.

¹⁴ Preferred option for school development projects where new buildings are constructed on existing playing fields, and new pitches are constructed where buildings have been demolished.

Cultivation

Cultivation is the physical manipulation of soil using soil engaging implements and is an essential part of seedbed preparation. Cultivation at a deeper level (with a 'subsoiler') may be necessary on sites levelled by major grading in order to alleviate compaction.

It is important that the works are correctly timed and that soils are only worked in appropriate conditions (i.e. in the Spring or Summer when the soil is dry and friable). To achieve the desired tilth it is essential that the appropriate equipment is used.

With stony topsoil, allowance must be made for the removal of stones or other debris using appropriate stone picking/rotary equipment.

The final seedbed must comprise a smooth surface that is uniformly firm but not over-compacted.

An appropriate fertilizer dressing should be applied prior to seeding or turfing.

Grass cover

The cheapest means of establishing grass cover is by seeding. It is essential that seeding is uniform over the working area.

For rugby and football pitches the seed mixture must comprise predominantly, if not entirely, hard-wearing and fine-leaved cultivars (varieties) of perennial ryegrass. Cultivation of the subsoil is particularly important after major regrading.

Where time is limited, pitches can also be established using purpose grown imported turf, although this is a more expensive option. The turf must contain hard wearing grass cultivars suitable for winter games and be predominantly weed-free. The turf must be grown on light sandy topsoil and should not be excessively fibrous. On specialist constructions, a washed turf may be considered. This is where the entire topsoil base has been washed away before laying.



Seeding a well-prepared, smooth and level tilth from a tractor-mounted seedbox

Turfed pitches often require intensive hollow tine aeration in order to assist surface drainage in the early years of establishment.

Upgrading pipe drained pitches

Properly constructed pipe drained pitches can be upgraded by adding further pipe-drains to achieve a more intensive system. These systems can be supplemented further by installing sand grooves or slit drains to improve the surface drainage performance. However, for this approach to be fully effective, a good drainage connection must be achieved between the sand grooves and the drains below.

Sand amelioration

The drainage characteristics and surface playability of topsoil can be improved by adding suitable sand but it should be noted that a high proportion of sand is required to achieve a significant improvement in drainage performance. Where a high standard pitch is required, the quantity of sand should be determined by laboratory analysis to determine the particle size distribution of the soil and sand. In some cases the sand will be mixed with topsoil off-site with the final rootzone material being spread over the prepared base.

For the majority of pitches it is more cost effective to spread a layer of sand on the pitch (typically 25 mm deep) and lightly work this into the surface of the topsoil to improve infiltration and reduce surface damage from wear. This sand layer is particularly effective when combined with secondary slit drainage and sand grooving systems.

Irrigation

Watering facilities are desirable for winter games pitches not only for initial grass establishment but to assist with renovation of the playing surface. Due to high percolation rates, well-drained pitches will require intensive irrigation to combat problems caused by drying out during periods of low rainfall.



Regular maintenance of the playing surface is essential to prevent expansion of wet areas

The minimum requirement for all pitches is for conveniently located hydrant points where a hose or mobile sprinkler can be connected. For free-draining rooting mediums over drainage rafts, an automatic pop-up irrigation system is essential.

The irrigation system must comply with local water company regulations and this will involve the installation of a system incorporating facilities to prevent reverse siphoning into the water main.

Irrigation may also be required to offset potential problems with soil shrinkage on drain lines where the indigenous soil has a high clay content.

Maintenance

The design of an irrigation system will normally require advice from a specialist Irrigation Consultant on issues such as:

- Irrigation demand
- Capacity and location of water storage
- The potential for use of grey water
- The source and cost of water
- Potential for abstracting groundwater (up to 20 cubic metres per day may be abstracted without a licence)
- Potential for abstracting surface water (up to 20 cubic metres per day may be abstracted without a licence)
- Pumps, power supplies, pipe work, hydrants and sprinklers
- Irrigation scheduling.



Specialist equipment such as a verti-drainer can be hired to maintain pitch quality



Alleviation of soil compaction can greatly improve the condition of natural turf facilities

Maintenance is key to the success of all pitches and is an essential requirement to provide pitches that meet relevant PQS over a long period. There are too many examples of well constructed pitches that fail after a short period of time due to inadequate maintenance, and then require further significant investment to make them effective again.

Typically, post-match work will involve replacing divots and may require the application of top dressing material to the most badly damaged areas of turf. Ensure provision of a reasonable quantity of top dressing sand and that adequate storage facilities are available to keep it dry and clean.

To restore the pitch for the following season a number of operations may need to be performed at the end of the playing year. Provision should be made for aeration, cultivation, sanding, seeding and/or re-turfing.

The following equipment is fundamental to successful maintenance:

- Mower: various models fulfill different requirements. Cylinder mowers produce a better quality finish.
- Aerator: tractor-mounted or pedestrian. This can be hired when appropriate.
- Sprayer: for application of liquid fertilizer and pesticides.
- Chain harrow/roller: to break up clumps and re-level the surface. Heavy rolling should be avoided due to adverse effects on the soil or rootzone.

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Design Guidance Note

- Hand tools should include spade, fork, halfmoon turf edger, dragbrush, edging shears, wheelbarrow, measuring and line marking equipment.
- Health and Safety: appropriate Personal Protective Equipment (PPE) should be used.

There is a wide range of equipment available that can be used for aeration or for renovating the pitch surface when a more thorough operation is necessary to restore good surface drainage or to remove excessive fibre or thatch.

This expensive equipment can be hired in as and when required but care is needed to ensure that the work is carried out in suitable conditions.

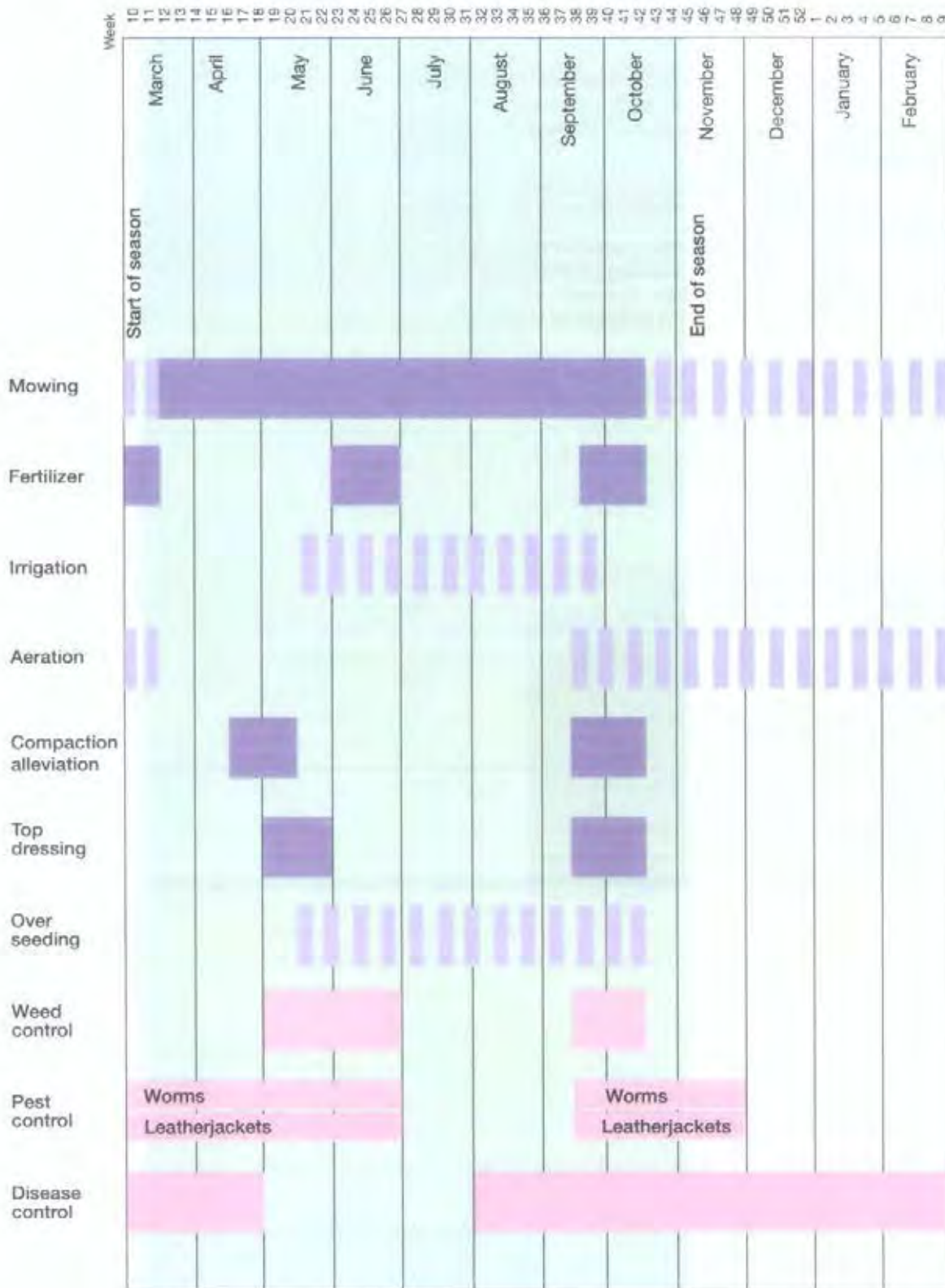
It is essential to bear in mind that the maintenance requirements for a newly established facility may be considerably higher than for mature playing surfaces.



At the end of the season, over seeding reinstates worn turf

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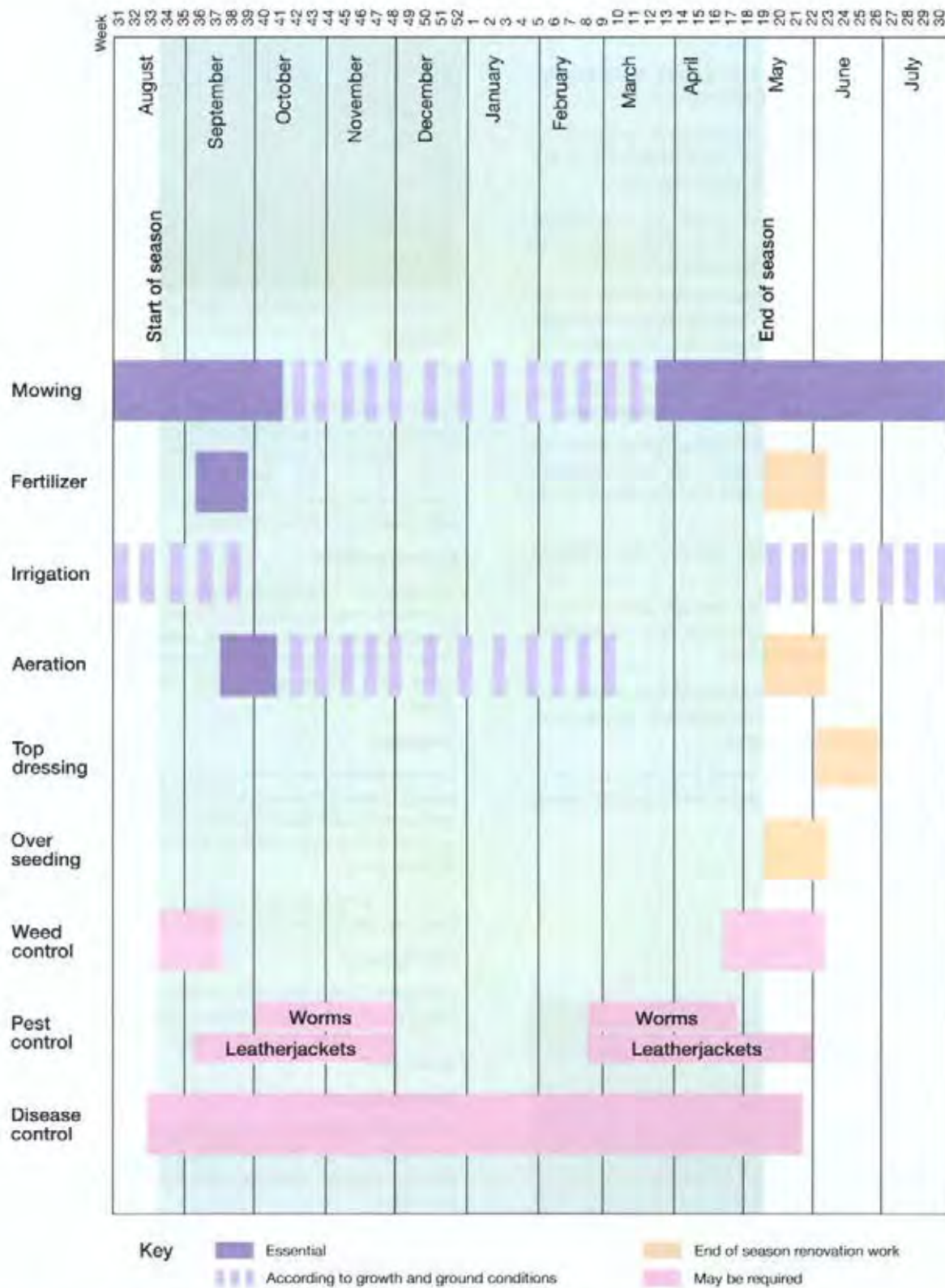
Design Guidance Note



Key:
 Essential
 May be required
 According to growth and ground conditions

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Design Guidance Note



Winter Football and Rugby League: Summary pitch maintenance programme

5.0 Flat And Crown Bowling Greens

Site considerations

Consider the following points when selecting the location for a new bowling green:

- There must be sufficient land available to accommodate the required dimensions of the green and its immediate surrounds.
- Allowance should be made for a surround path, usually 1.5 – 2.0 m wide, and outer planting borders/grass verges as required.
- A detailed survey drawing of the site will be required to establish finished levels relating to the surrounds and to establish the relationship of the pipe-drainage system. Ideally, to avoid subsequent settlement problems, bowling greens should not be built on 'filled' areas.
- The green must be located away from tall buildings and trees that may cast shadows over the bowling surface thereby affecting turf performance.
- Avoid tall plantings around the bowling green.
- There must be good access to the site to facilitate construction work and subsequent maintenance operations.

The basic construction of flat and crown greens is similar – both require the formation of a smooth and uniform bowling surface.

The following sections cover the main stages of construction and the requirements for both types of green.



The green must be located away from tall buildings and trees that may cast shadows over the bowling surface



Plan a perimeter hedge and seating around the green

Grading

Flat greens

A completely level and smooth subsoil formation surface must be prepared with a tolerance of ± 15 mm. Allowance must be made for the various layers of materials used in construction and for making the surface of the green a minimum of 230 mm lower than the surrounds.

Crown greens

Adjustment to subsoil levels must allow for a crown formation between 254 and 380 mm above the corner levels. A 380 mm crown is the Crown Green Bowling Association's recommended height for a 37 x 37 m green and pro rata for other sizes.

Drainage

Greens constructed over porous subsoils such as gravel or sand may not need any special drainage measures but this is exceptional. Most sites will require a drainage raft and an underlying system of pipe-drains.

Flat and crown greens require a perimeter drain beneath the outer ditch channel.

Flat greens

A system of pipe drains should be installed through the graded subsoil formation surface usually at 5.0 – 8.0 m centres with an outlet to an outfall or soakaway.

Crown greens

A drainage system may be omitted from the body of the green as the contouring of the formation allows speedy surface and subsurface water run-off.

All drains must be laid to an appropriate fall with pipework conforming to the relevant industry standard. All junctions, end stops and fittings must be provided as required.

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Design Guidance Note

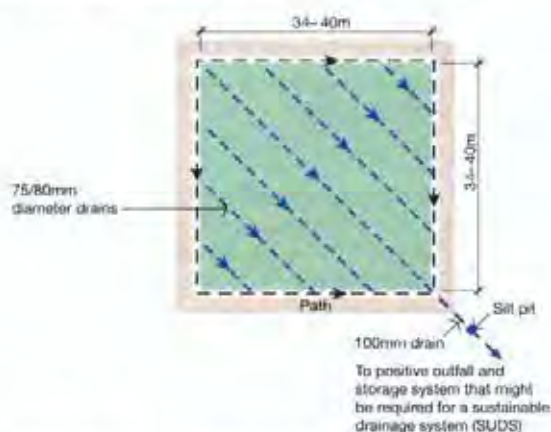
All drain trenches must be backfilled to the formation surface with a layer of hard, clean gravel (6 – 10 mm gravel size).

A suitable silt chamber should be provided at the lowest point of the drainage system on the green surround. A sealed outlet pipe will be required from the silt pit to a positive outfall such as a watercourse, surface water drain or possibly a soakaway.

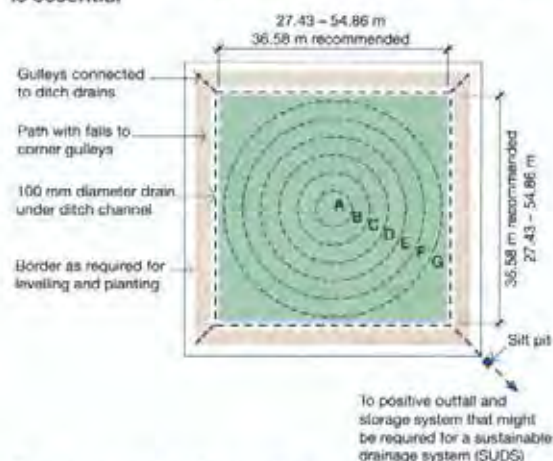
Once the pipe drains have been installed, a 100 – 150 mm deep drainage layer of 6 – 10 mm hard gravel is spread over the graded formation surface. The layer is then blinded with a coarse, gritty sand to a firmed depth of 50 mm.



All sports require a quality-playing surface. Detailed consideration of design, construction and maintenance is essential



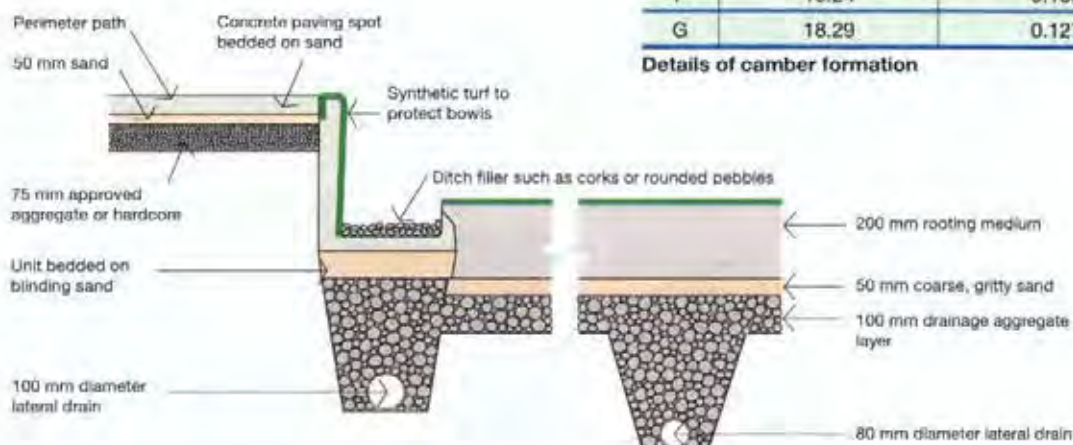
Flat bowling green drainage system



Crown green showing contours and ditch drain

	Circle radii (m)	Circle heights (m)
A	-	0.254
B	3.05	0.248
C	6.10	0.235
D	9.14	0.216
E	12.19	0.190
F	15.24	0.165
G	18.29	0.127

Details of camber formation



Cross-section through flat bowling green

Ditch channels

Flat greens

The dimensions of the outer ditch channel must conform to the statutory criteria laid down by Bowls England. The height of the outer path surround above the bowling surface is critical.

Traditionally, treated timber boards and / or precast concrete kerb edgings, haunched on concrete, were used to form the ditch channels. More up-to-date systems for ditch channels are now available in the form of pre-cast units manufactured to conform to Bowls England criteria.

In most cases some form of protection is required to protect the bowls when striking the outer ditch face. This can be in the form of treated wooden battens, artificial turf or rubber 'bumper' bars.

Some form of ditch filler such as corks, rounded pebbles or other suitable inert durable material that will not harm the bowls will also be required.

Crown greens

For crown greens where ditch requirements are rather less rigid, traditional timber edging or pre-cast concrete kerbs are usually used. Additionally, crown greens require treated timber striking boards along the outer ditch kerb. Alternatively, synthetic turf may be used.



Pre-formed ditch channel simplifies construction

Rootzone

A free-draining rootzone is required for both crown and flat greens, particularly where rainfall levels are high.

Sufficient rootzone material should be prepared to provide a minimum of 200 mm firmed depth over the blinded drainage layer on completion.

Depending on the location of the green, it may be possible to utilise indigenous topsoil if it is a light textured (i.e. sandy) material. Some preliminary screening of the topsoil to remove larger stones and other debris may be required prior to spreading.

In some situations the drainage qualities of the topsoil might be improved by blending in approved sand. Quantities should be determined by laboratory analysis, and mixing should be done

off-site in dry conditions using appropriate shredders/screeners to ensure the production of uniformly blended rootzone.

If local topsoil is unsuitable, provision must be made to import suitable commercially prepared sand/soil rootzone material. The approved rootzone must be spread using appropriate equipment taking care not to disturb the underlying blinded drainage layer.

Seed / turfed preparation comprises alternating hand-raking and heeling operations in order to produce a fine, smooth and evenly consolidated tilth.

Preparation

Note that for all greens it is imperative that topographical information is available to aid the design and setting out.

Flat greens

Levelling pegs must be set up on a 3 m grid or alternatively 'screeding battens' can be used to accurately set out the levels. Final levels must be to a tolerance of ± 6 mm.

Crown greens

It is important to maintain correct contours and levels by setting up level pegs at 3 m centres on each contour line.

Seed bed / turf bed preparation

In the final stages of seedbed / turfed preparation a suitable fertilizer dressing should be well raked into the surface.

Grass cover

Grass cover can be established by seeding or turfing, depending on the budget and the time available before the facility is required for use.

Seeding is the cheaper option but a longer establishment period is required, usually a minimum of 18 months. The seed mixture should contain approved cultivars of fescue and bents. A sowing rate of 35g / m² is normally used.

Turfing is more expensive, but requires a shorter period to become established (usually between six



Where time is limited, grass can be established by turfing although this is more expensive

and nine months). Turf must be purpose grown on a light sandy topsoil using fescue and bent grasses and should be free of broad-leaved weeds and weed grasses.

Traditionally turf is supplied in narrow rolls (approximately 300 mm wide) and laid by hand working from boards. Wider rolls, up to 1.2 m across, are now available. These can be laid directly from specially made tracked machines.

Irrigation

During construction works, a suitable irrigation system must be installed. This is necessary to assist establishment of the grass sward and to aid future maintenance of the green.

A basic system comprises one or two water hydrants located around the outer edge of the green. Given adequate pressures and flow rates, these can be used for supplying portable sprinklers, spray lines or self travelling sprinklers.

A more expensive option involves the installation of an automatic pop-up irrigation system. This comprises between four and eight sprinkler heads located outside the bowling green perimeter.

This system also includes a storage tank, pumps and control. All will require safe and secure housing near the bowling green.

The irrigation system must comply with local water company regulations and this will involve the installation of a system incorporating facilities to prevent reverse siphoning into the water main.

Green surrounds

Some form of path will be required on the outside of the green for pedestrian access and/or spectator viewing. The following must be considered:

- The perimeter path must be formed from a durable, level material such as brick / slab paving or macadam.
- Provide safe, easy access to the green for wheelchair players.
- Outer borders may be required for the planting of ornamentals, shrubs and/or perimeter hedging.
- Tree planting demands a cautious approach owing to the potential for harmful shading of the green, as well as penetrating root systems.
- A well-detailed type of outer perimeter boarded fence must be provided for shelter and security.
- Make allowance for sufficiently wide access gates through the fence for maintenance machinery.

- Facilities such as seat recesses, litter bins, path drainage gulleys and access ramps to the green must also be provided.

Maintenance

Maintenance requirements will depend upon site conditions and prevailing growth. Proper management will be vital to the achievement of the best possible playing surface and top dressing the green will be crucial in achieving this.

Other maintenance requirements should be discussed and agreed with the green design specialist who should provide a detailed maintenance schedule with the original design.



Regular maintenance is essential to ensure a high quality playing surface is achieved

Consideration of these requirements must not be left until the works are completed.

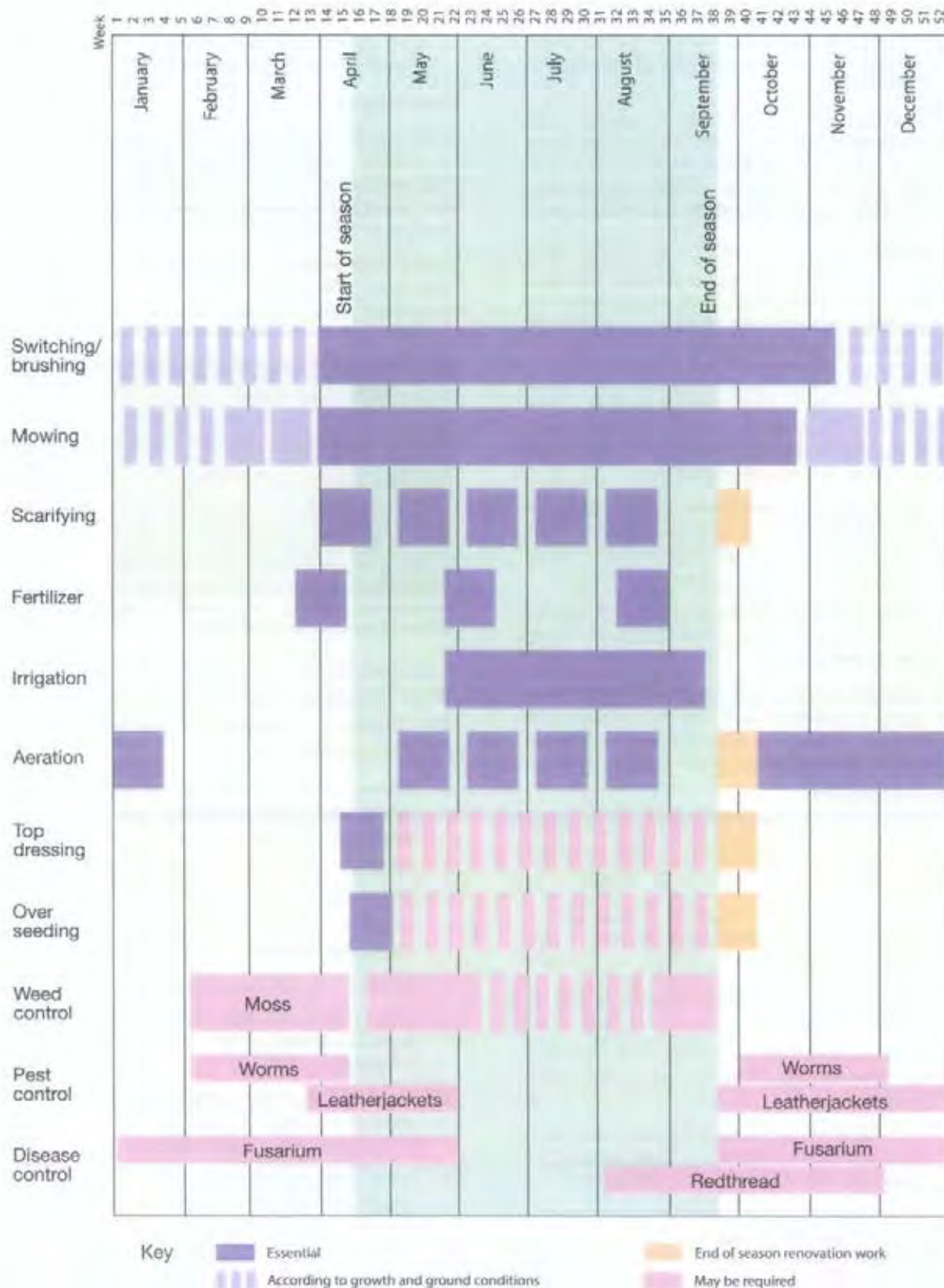
The following equipment is fundamental to successful maintenance:

- Mower: a high quality professional cylinder mower, the most expensive and important piece of maintenance machinery.
- Aeration machine: ideally a powered, pedestrian version.
- Scarifier: the most efficient are powered, pedestrian models.
- Sprayer: for pest and disease control.
- Spinner-type pedestrian distributor: to achieve even application of granular materials, especially fertilizers.
- Irrigation: portable sprinklers or spray line to water the green. Hydrant points should be fitted with reverse siphon valves.
- Hand tools: including a switch, dragmat or dragbrush, edging shears, fork, spade and springbok rake. A large lute will be required for flat greens.

Expensive equipment that will rarely be used such as a punch-action hollow tine machine or top dresser, should be hired in as and when required.

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Design Guidance Note



A summary maintenance programme for bowling greens

6.0 Cricket Grounds

The following guidance will assist clubs and schools during the early stages of planning a new cricket square or pitch. The guidance does not, however, go into great detail in terms of design, construction and maintenance issues and therefore, these must be considered in relation to the guidelines available from the England and Wales Cricket Board (ECB). In particular, the ECB publish their own guidance on the construction, preparation and maintenance for the relevant standard of play¹⁶. Additionally, for all but the smallest projects, expert independent advice must be sought.

ECB publish their own PQS for cricket and these are very important in the design, construction and maintenance of cricket facilities and must be achieved for the relevant standard of play.

Initial planning

Firstly, identify the level of cricket to be played and the associated PQS required.

Plan the square to have a lifespan of 25 years and factor in realistic maintenance costs to achieve this.

The boundary should be a minimum of 37.00 m (for 'juniors') and 45.72 m (for 'seniors') from the middle stumps of the pitch in current use.

Pitches must run approximately north / south to minimise the risk of batsmen or bowlers facing a low sun. The pitch axis must point in a direction between 325 and 55 degrees on the compass.

For seniors, a single pitch area is 20.12 m long x 3.05 m wide. For juniors, the pitch length is reduced to 19.20 m (U13), 18.29 m (U11) and 16.46 m (U9) respectively. The size of the cricket square is determined by the number of pitch areas required in a season.



Precise placement and consolidation of cricket loam is crucial to the success of cricket square construction

To calculate this:

- Assess the total number of matches to be played during the season.
- Assess the number of times each strip can be used during the playing season. This is variable but could be between two and five times dependent on the type of cricket, the standard of maintenance and the time available to the groundsman to maintain and prepare the pitches.
- Calculate the number of pitches required and hence the total width of the square: the number of matches to be played divided by the assessed number of games per pitch gives the total number of pitches required.

Site investigation

Before making decisions about the construction of the cricket ground it is important to identify the characteristics of the indigenous soil. This is achieved by analysis of the topsoil and the subsoil from a minimum of six locations on the site. The soil analysis should be conducted by an experienced consultant using an approved, independent soil laboratory.

The initial investigation should identify the site's natural run-off and the location of existing drainage. Where available, obtain copies of drainage plans.

Ensure there will be reasonable access for construction vehicles and take steps to protect the outfield from damage by heavily laden traffic.

Following initial planning and site investigation and before proceeding further, the following information must be available:

- Required size of square
- Depth of dig for construction of the square
- Drainage requirements for the proposed square and outfield including any anticipated future expansion.

¹⁶ See ECB website at www.ecb.co.uk.

Falls

The final surface level of the square must be of a consistent and uniform grade and blend in with the outfield. However, it should be 25 mm higher to encourage surface water to run off.

Ideally, the square must be completely level along the line of play, although a slight fall of up to 1:100 might be acceptable.

A slight cross-fall of between 1:80 and 1:100 is also acceptable to assist surface run-off.

Materials

Cricket demands a firm, level surface that provides consistent bounce and pace. The selected soil will have a major influence on the physical characteristics of the playing surface and will also affect the selection of grass cover.

The nature of the existing topsoil will determine the extent of the construction works required to develop the square. For different standards of pitch, the clay content should be:

- First class and county 28 – 35 %
- Club 25 – 30 %
- School 23 – 28 %.

Note that marl should not be used.

The clay content of the topsoil will be indicated by a soil analysis carried out at the initial planning stage. Where existing topsoil is unsuitable, make allowance for importing an appropriate cricket topsoil from a specialist supplier.

To accommodate the imported topsoil, an equivalent depth of existing material must be removed. The imported topsoil must be blended with the indigenous topsoil.

For cricket squares refer to specialist advice from the England & Wales Cricket Board (ECB).

See their document entitled 'TS4 - Recommended Guidelines for the construction, preparation and maintenance of cricket pitches and outfields at all levels of the game'.

Drainage

The drainage system must be designed by a specialist to meet the demands of the location and planned pitch use.

In its simplest form the drainage system will comprise a single perimeter drain around the outer edge of the square.

Except when designed with a drainage raft, never install a pipe-drainage system under the square as this will result in differential drying out at the surface. Drains should not be laid with falls less than 1:200.

'Drainage rafts' are required only in exceptional circumstances, such as in situations where shallow ground water results in very wet sites or where the highest standards of construction are required, for example, at county level.

Construction

Excavate topsoil to required depth, invariably 100 – 150 mm. Install the drainage system. If excavation exceeds 100 mm introduce appropriate loam in layers no deeper than 50 mm.

Soil should be consolidated every 50 mm by heeling. While time-consuming, consolidation is the most important element of the construction process and must be carefully supervised.

Alternative methods of consolidation are available, for example with 'wacker plates' but this should be discouraged. All levels must be keyed in and air pockets removed. Failure to carry out this process diligently will curtail the expected lifespan of the pitch or square and lead to disruption and additional costs.

Levelling and construction can be achieved with levelling pegs or laser levelling equipment and, if correctly carried out, there should be no need for overlapping. The success of this procedure relies on exact marrying up with the outfield.

A roller must not be used for the final levelling as this may leave isolated pockets that can only be eradicated by 'walking and heeling'.

Seeding

Note that turfing a pitch or square is strongly discouraged. Grass cover is normally established by seeding using appropriate cultivars of suitable grass species sown at a rate of 35 g/m². The selection of a suitable seed mixture will depend on proposed intensity of use and levels of management and maintenance available.

The seed mixture should be selected in consultation with a specialist and take account of advice available from the ECB. Successful seedbed preparation relies on the following steps:

- Ensure all stones are removed
- Rake the surface and, where necessary, apply a pre-seeding fertilizer
- Spread the seed uniformly then lightly rake into the surface and roll with a hand-roller
- Water the seedbed
- Provide protective fencing around the perimeter to prevent encroachment onto the new surface.

The square will be ready for use between 18 months and 2 years after seeding.

Irrigation

Provide at least one hydrant point at a location convenient to the square such that it is possible to water each of the pitches. A hose or sprinkler can be attached for general watering of the square and / or preparation of pitches. The irrigation system must comply with local water company regulations and this will include the installation of a system incorporating facilities to prevent reverse siphoning into the water main.

Automatic pop-up irrigation systems are not usually installed on cricket grounds.

Outfield

The outfield must comprise smooth and even levels that permit balls to roll freely across the

surface. If the outfield is to be cut from grassland the site must be checked for:

- Uneven surfaces
- Inadequate drainage
- Inappropriate grasses.

Where the quality of turf is satisfactory and site undulations are isolated, it should be sufficient to strip away portions of turf and, where necessary, adjust the underlying ground level.

The turf is then replaced to form a level and firm surface.

Where site undulations are more severe but there is a good depth of topsoil, it may be enough simply to regrade the site to a uniform surface.

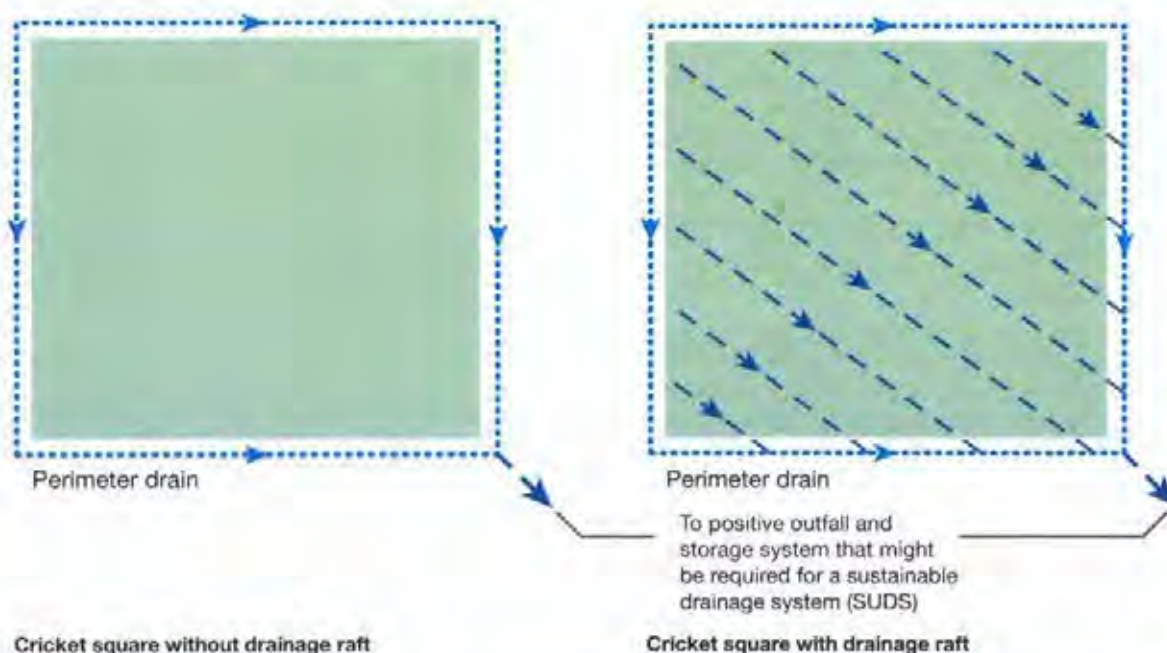
Where existing gradients are too steep, more drastic level adjustment may be necessary involving the removal of topsoil and grading of exposed subsoil, followed by topsoil replacement.

The outfield need not be completely level and a slight gradient of up to 1:50 may assist shedding of surface water.

Outfield drainage

Where rainfall levels are low and topsoil is naturally free-draining there should be no need for artificial drainage, particularly if the outfield is to be used for summer cricket only.

If the ground is relatively impervious some form of pipe drain system may be required.



Cricket square without drainage raft

Cricket square with drainage raft

Where the outfield will be used as a playing surface for football, rugby or hockey, construction should follow recommendations for those sports. While supplementary slit drains may be used on cricket outfields caution is advised owing to the possibility of settlement of backfilling material within the slits during dry weather. This will result in an uneven playing surface which is potentially dangerous for fielders. Make allowance for topping up the slits with suitable sand when settlement occurs.

Grass cover

For the finest quality outfields, mixtures containing appropriate species of fescue and bent are most appropriate.

Where winter games are to be played on the outfield, the inclusion of a proportion of perennial ryegrass is essential to maintain the hard wearing quality of the surface in anticipated wet winter playing conditions. The cultivars chosen should have a high tolerance to close mowing. A seed mixture containing between 40 – 60% by weight perennial ryegrass would be suitable for most winter games situations.

Maintenance

Detailed guidance on the maintenance of cricket squares and outfields is available from the ECB.

Requirements will depend on:

- Site conditions
- Prevailing growth
- Intensity of use.

Equipment

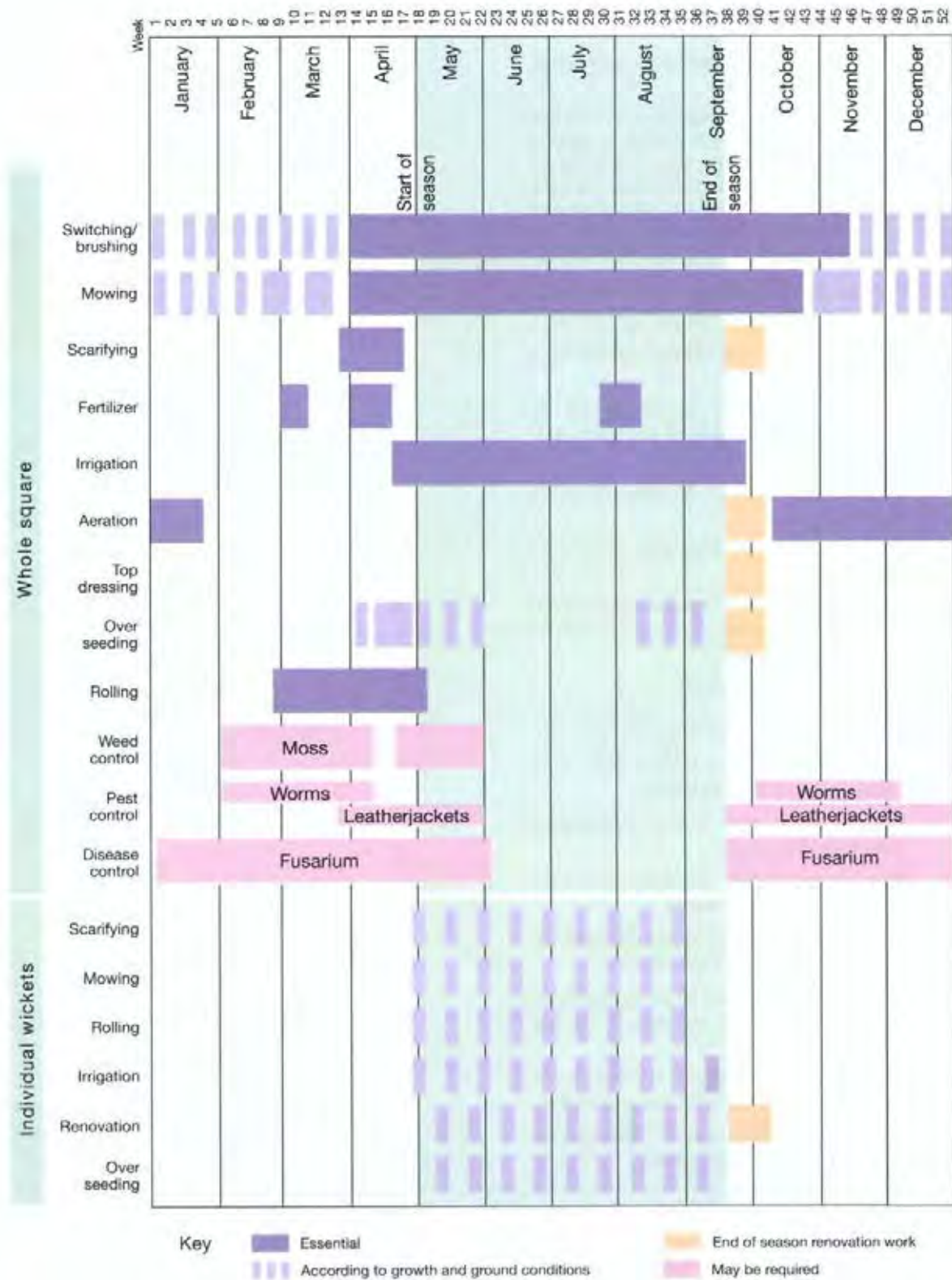
The ECB provides detailed guidance on the equipment necessary to maintain the quality of the playing surface throughout its life. It is vital that this guidance is considered in detail during consultation with your appointed specialist from the outset of the project. In particular, provision will need to be made to house specialist equipment such as a roller.

Non-turf pitches

Non-turf pitches are popular for practice and occasionally for matches. The ECB has set performance standards for these pitches which are implemented through suppliers approved and regulated by the Board.

Natural Turf for Sport

Design Guidance Note



A summary maintenance programme for cricket squares

APPENDIX 1

Selection criteria for consultants on turf / grass projects

The selection of the right consultant for sports turf and sports drainage work is as critical as getting the right architect to design the clubhouse or sports hall. Choosing the right consultant will save time and money and will bring real added value to the design, construction and maintenance of the pitch over many years.

The following are critical issues that need to be considered when selecting a suitable consultant:

- Does the consultant have relevant qualifications and expertise such as:
 - currently recognised as acting as an independent consultant in the sport turf/ grass industry?
 - a recognised plant or earth science degree?
 - references from at least two clients for similar work?
 - sufficient expertise to cover all of the work required for example drainage as well as pitch works?
- Ensure that the consultant:
 - is independent and does not have any formal association or understanding with any commercial organisation that could influence his or her impartiality.
 - holds an appropriate level of professional indemnity insurance.
 - demonstrates a clear understanding of the brief and your requirements.
 - has the ability and the resources required to meet the necessary deadlines.
 - confirms the total cost of the professional services and if there are likely to be any additional costs.
 - demonstrates a willingness to attend for an interview and/ or present their submission.
 - provides ongoing support following the completion of the main works.

APPENDIX 2

Schedule of services for a sports turf consultant employed on playing field and natural turf pitch improvement schemes

The construction of safe and sustainable natural turf surfaces that meet appropriate PQS is reliant upon competent execution of site assessment, design, construction and maintenance phases. It is therefore advisable to appoint a specialist sports turf consultant to coordinate the project.

A fee proposal from prospective consultants should include details of:

- The Company
- Staff to be assigned to the project and their respective qualifications and experience
- The proposed working and liaison arrangements
- Any sub-consultants proposed (e.g. irrigation consultants)
- A fee bid including key deliverables.

The following is a summary of the Schedule of Services to be provided by a specialist consultant employed on a playing field or natural turf improvement scheme, separated into the following key project phases:

- Feasibility study
- Design
- Tender
- Contract administration

Feasibility Study

The feasibility phase of the project may include the following:

- In consultation with the Client, identify the appropriate PQS for the site with reference to the range and level of the sports to be played.
- Undertake a topographic (levels) survey of the site to establish gradients and surface level uniformity to assist with the design of earthworks and drainage.
- (Optional) undertake a geophysical survey (e.g. Electro-Magnetic Inductance Scans) to assist in establishing soil variability beneath the site and to target detailed investigations.
- Determine hydrological characteristics for the catchment including the standard-period

average annual rainfall (to inform future drainage design), proximity to watercourses, potential for runoff and whether the site lies within an indicative flood plain or groundwater source protection zone. This information can be used to establish whether there is scope to undertake site remodelling works without affecting the volume or dynamics of a flood plain, and whether the construction of a deep-bored soakaway for the discharge of surface water is likely to be permitted should a more convenient method of outfall not be available.

- Determine the likely underlying geology from geological maps and/or soil survey records.
- Identify site factors that may require further surveys or investigative work (e.g. site history, previous use, tree protection, ecology, archaeology, conservation Site of Special Scientific Interest (SSSI), utility services, contaminated land and land drainage consent).
- Conduct a physical site survey to confirm the following:
 - Site location and access including any restrictions to construction traffic and contact details for site access arrangements.
 - Current land use.
 - Existing site layout including the orientation and dimensions of pitches to ascertain whether they comply with Sport England recommendations.
 - Excavation of test pits to characterise the underlying soil profile in terms of soil type, nutrient status, salinity, organic matter content, compactive state, rooting depth, depth to shallow rock and drainage status (including depth to groundwater if encountered). This should also include additional pertinent information such as stone content, suitability of the underlying material for site remodelling and the presence of material that could potentially be contaminated.
 - Determine whether there is evidence of the presence of existing drainage infrastructure and, if so, scope for utilising this within the proposed remediation works.
 - Conduct an agronomic and PQS assessment to include grass height, ground cover, presence of weeds, thatch depth, rate of water infiltration through the surface, surface evenness, site gradient, hardness and pH.

- Assess irrigation requirements (if any).
- Assess floodlighting requirements (if any).
- Establish the current and proposed level of site usage.
- Establish whether planning consent is required or whether certain planning conditions need to be discharged.
- Establish whether a Flood Risk Assessment is required.
- Summarise of the principal factors affecting the condition of the natural turf sports facility.
- Propose development options and cost.
- Propose an appropriate maintenance programme with budget costs.
- Provide an indicative work programme for the possible phasing and duration of the proposed construction works. This should also indicate when the sports facilities may be available for use.
- Summarise implications of the proposed works on future maintenance, longevity and usage.

Design

Production of detailed designs, specifications, construction drawings and bills of quantities to address the development issues identified in the feasibility study. This will ensure that the appropriate PQS can be achieved. The documentation should include the following information¹⁷:

- Introduction and site information.
- Site location and access.
- A summary of findings from the feasibility study.
- General scope.
- Detailed specification.
- Drawings showing details such as proposed layout, existing and proposed levels, drainage layout, cross-sections, schedule of inspection chambers including invert levels and Isopachytes.
- Indicative work programme.
- General notes.

- Confirmation or otherwise as to whether the project is notifiable under the Construction (Design and Management) Regulations 2007 and inform the Client of their responsibilities under these regulations.
- Assist in the appointment of a CDM Coordinator (if appropriate).
- Designer's assessment of residual risk.

Tender

- Recommend the Form of Contract to adopt.
- Produce tender documentation which, assuming a traditional procurement route is selected, may include:
 - Instructions for tendering
 - Preliminaries
 - Conditions of Contract
 - Site information
 - Description of the works
 - Scope of works
 - Constraints of how the contractor provides the works
 - Contractor's design elements
 - Programme
 - Specifications
 - Bill of quantities / Work Schedules
 - Design drawings
 - Requirements for Construction (Design and Management) Regulations 2007
 - Underground and overhead services
 - Form of Tender
 - The Agreement.
- Despatch tender packs.
- Attend mid and post tender interview as appropriate.
- Produce a tender analysis report with recommendations for the appointment of a suitably qualified contractor.

¹⁷ See Model Contract Specifications that are downloadable from the Sport England website.

Contract Administration

Manage the construction phase to ensure that the requisite PQS are achieved. This should include the following:

- Chair a pre-contract meeting to address any issues raised prior to presiding over the signing of a contract agreement.
- Produce a Project Directory.
- Organise, chair and administer regular site meetings/visits including the provision of agendas and minutes, and observe key operations to confirm compliance with the specification. These may include, but are not limited to, inspections and testing of:
 - Site remodelling / re-grading
 - Topsoil placement
 - Drainage installation
 - Materials testing (soil, sand, rootzone and gravel)
 - Seedbed preparation
 - Grass establishment.
- Initiate and maintain a Site Visit Log to keep a record of site activities as the project progresses. Information may include:
 - Project name
 - Client, Contractor, Contract Administrator and CDM Coordinator
 - Project start date
 - Date of visits
 - Plant on site
 - Weather conditions
 - Ground conditions
 - Comments and observations on progress
 - A summary of recommendations agreed during the site visit
 - Details of materials conformance testing.
- Prepare financial statements and cash flow forecasts as required.
- Assess valuations provided by the contractor and produce interim and final valuation certificates.
- Produce sectional and practical completion certificates.
- Prepare snagging list.
- Monitor the site during the defects liability period.
- Assess the site against the requisite PQS prior to project sign off.
- Project sign off.

APPENDIX 3

Key Project Stages			
RIBA Work Stage	People Involved	Key Actions	Key Outputs
<p>Stage A Appraisal / Briefing</p>	<p>Client</p> <p>Stakeholders</p>	<p>Identification of Client's requirements and any possible constraints on development, including funding.</p> <p>Preparation of studies to enable the Client to decide whether to proceed.</p>	<p>Inauguration of project steering group.</p> <p>Compilation of relevant information including:</p> <ul style="list-style-type: none"> • A site plan showing extent of land, ownership, legal agreements, covenants, way-leaves, rights of way, existing buildings, mains services, pitch layouts, local knowledge of ground conditions and any other site factors. • Maintenance arrangements, detailing who will be responsible for pitch maintenance, and the annual budget required. • Layout details of existing and proposed pitches and associated sports. • Existing and proposed programme of use including age and sex of players. • Changing room provision. • Car park requirements. • Access arrangements for spectators/players with disabilities. • Expected level of user performance (e.g. local league or county standard) and relevant Performance Quality Standards (PQS). • Project programme including anticipated commencement and completion of works, and when the pitch(es) will be ready for play. • Arrangements for using alternative facilities during the construction phase. • The outcome of initial consultation with the Local Planning Authority to gauge likelihood of obtaining planning permission. • The outcome of initial consultation with The Environment Agency or other statutory body to gauge likelihood of discharging pitch drainage into a watercourse or existing piped infrastructure. • Possible funding sources.
<p>Stage B Business Justification</p>	<p>Project Steering Group</p>	<p>Confirmation of key requirements.</p> <p>Identification of potential Pitch Consultants.</p> <p>Assessment of project viability.</p>	<p>Obtain competitive quotations from competent consultants (see Appendix 1) to carry out the required consultancy services (see Appendix 2):</p> <ul style="list-style-type: none"> • A baseline PQS assessment. • A detailed site investigation in order to characterise the underlying soil profile. • Determination of a range of appropriate development options for the pitch(es) in consultation with the Client. • Derivation of indicative remediation/construction costs for budgetary purposes and costed options where applicable including recommended maintenance operations. • An indicative work programme in order that the Client has a clear picture of the duration of the proposed construction works and when the pitch(es) may be available for use. <p>The following is optional, but desirable:</p> <ul style="list-style-type: none"> • A detailed topographical (levels) survey of the site to establish gradients and surface level uniformity to assist with the design of earthworks and drainage. • A geophysical survey (Electro-Magnetic Inductance Scan) to assist in establishing soil variability beneath the site and to target detailed investigations. <p>Assessment of project viability based on findings from the feasibility study.</p>

PREPARATION

Key Project Stages

RIBA Work Stage	People involved	Key Actions	Key Outputs
DESIGN	<p>Stages C, D & E</p> <ul style="list-style-type: none"> Outline proposals Scheme design and planning Detailed design 	<p>Establishment of procurement strategy and form of contract to be entered into between the parties.</p> <p>Preparation of designs or Employer's Requirements – as appropriate.</p> <p>Application for full development control approval.</p>	<p>For traditional contract:</p> <ul style="list-style-type: none"> Production of detailed designs, specifications, construction drawings and bills of quantities for addressing the development issues identified in the feasibility study. <p>For design and construct contract:</p> <ul style="list-style-type: none"> Production of Employer's Requirements document to include information on: <ul style="list-style-type: none"> Scope of Works (Provision of design development and working drawings, tender and detailed specifications, calculations, method statements, samples and mock ups for testing, testing of materials and assemblies, operating and maintenance manuals, protection of works and a turf maintenance manual). Detailed Scope of Works (Details on requirements such as trimming the formation surface, profile construction materials, land drainage system, under soil heating system, irrigation system, pitch reinforcement system, grass sward establishment (seeding or turfing), initial agronomic maintenance and requirements for goal posts and sockets). Design Principles. Design responsibility (Contractor and Consultant). Statutory Approvals. Drawings (requirements). Tender Submissions (General systems and materials specification, outline methods statement, drawings, outline programme of works, risk assessment, health, safety and welfare). Post Tender Submissions (Detailed specifications, detailed programme of works, samples and analyses of materials, supporting calculations, quality control procedures and detailed method statements). Construction Submissions (Construction materials, operating and maintenance manuals, record information and drawings). Performance Quality Standards. Level and Pattern of Usage. Design Life.
PRE-CONSTRUCTION	<p>Stages F, G & H</p> <ul style="list-style-type: none"> Detailed design information Tender documentation Tender process 	<p>Final agreement on design, specification, construction and cost.</p> <p>Statutory approvals.</p> <p>Preparation of tender documentation.</p> <p>Identification of potential Contractors.</p> <p>Receipt and appraisal of Tender Bids.</p> <p>Recommendations made to Project Steering Group to allow appointment to be made.</p>	<ul style="list-style-type: none"> Production of contact documentation. Preparation of tender packs. Hold pre-tender briefing for potential Contractors to ensure that they have a good understanding of the project. Obtain and appraise tenders. Select Contractor.

Key Project Stages

RIBA Work Stage	People Involved	Key Actions	Key Outputs
CONSTRUCTION Stages J & K Project planning Construction through to Practical Completion	Project Steering Group Pitch Consultant Contractors Sub-Contractors	Appointment of Contractor. Site hand over to Contractor. The Consultant administers the contract up to Practical Completion. Site handed back to Client.	<ul style="list-style-type: none"> Appointment of Contractor. Site hand over to Contractor for mobilisation. Production of construction programme by Contractor. Construction monitoring by Consultant including preparation of interim payment certificates and compilation of the final account. Regular site inspections to ensure that the specification is adhered to. Site handed back to Client.
USE Stage L Completion On going maintenance	Pitch Consultant Contractors Sub-Contractors Project Steering Group	Defects liability period commences. Final inspections. Project sign-off. Final account is settled. Maintenance budget.	<ul style="list-style-type: none"> Site inspections by the Consultant during the defects liability period. Defects made good by the Contractor. Testing against Performance Quality Standards. Project sign-off. Aftercare and ongoing maintenance programme. Periodic testing against PQS.

APPENDIX 4

Performance Quality Standards

Objective testing to establish the PQS of turf facilities forms an essential part of the development and maintenance of natural turf playing surfaces. These standards should be included in specifications for developing, improving and maintaining natural turf for sports facilities, as appropriate, to provide a consistent measure to confirm compliance with the specification.

Many of these test procedures are described in BS7370 Part 3 and in the STRI test procedures for the assessment of pitch hardness. The PQS information contained within this table constitutes selected key minimum criteria. For more detail, please refer to the relevant IOG publications.

These standards should be regarded as a minimum standard for the provision of pitches for football, rugby and cricket. In some cases, these standards can be refined or supplemented with additional requirements where it is appropriate to the site or the standards required.

For cricket there are more detailed guidelines set out in 'Recommended Guidelines for the construction, preparation and maintenance of cricket pitches and outfield at all levels of the game'. This is available for download from the ECB website at www.ecb.co.uk.

Element ¹⁸	Limits adopted by Football Association	Limits adopted by Rugby Union Rugby League	Limits adopted by Cricket			Method of Test
			Square	Pitch	Outfield	
Grass height (mm)	30-60 GS 20-70 NGS	25-65 GS 25-75 NGS	8-14 GS 16-25 NGS	6-7 GS	16-25 GS 18-38 NGS	BS 7370 : P3 A3
Ground cover (%)	>75	>70	>80	50-70	>80	BS 7370 : P3 A6
Broad-leaved weeds (%)	<10	<10	Nil	Nil	<3	BS 7370 : P3 A6
Thatch depth (mm)	<15	<15	<2	Nil	<15	BS 7370 : P3 A7
Water infiltration rate	5 (mm/h)	>2 (mm/h)	N/A	N/A	2 (mm/d)	BS 7370 : P3 A8
Evenness - 2 m straight edge (mm)	<25	<25	<10	<10	<20	BS 7370 : P3 A4
pH value	5.8-7.5	5.8-7.5	5.5-7.0	5.5-7.0	5.8-7.5	ISO 10390
Slope ¹⁹						BS 7370 : P3 A5
Direction of play (%)	<1.00 - 1.25	<1.00 - 1.25	<1.11	<1.11	<1.67	
Across play (%)	<1.25 - 2.00	<1.25 - 2.00	1.25 - 1.67	<1.67	<1.67	
Hardness (gravities)	35-200	40-180	N/A	>200	30-200	STRI method of test using a 0.5 kg Clegg Impact Hammer from a drop height of 0.55 m

Key:

GS = Growing season

NGS = Non-growing season

¹⁸ The PQS information contained within this table constitutes selected key minimum criteria. For more detail, please refer to the relevant IOG publications.

¹⁹ These values are expressed as a minimum that will avoid the slope having an adverse effect on play, but should be regarded as the preferred values in terms of surface drainage. However in some locations with heavy annual rainfall, these figures may need to be exceeded.

APPENDIX 5

Maintenance resource check list

When considering the viability of developing a new natural turf sports facility, or improving existing facilities, the provision of sufficient maintenance resource is crucial to the success of the project.

The maintenance operations required, and the timings of these activities, will vary depending on the range of sports supported and site specific

factors (e.g. construction type, usage, level of play and weather conditions). See the 'Summary Pitch Maintenance Programmes' in Sections 4.0, 5.0 and 6.0 for specific sports contained within this guidance note.

The following check list is not exhaustive, but is intended to provide stakeholders of a potential natural turf sports development with a list of resources that may be required in order to optimise the quality of the facility and the longevity of the capital investment.

People and skills	<p>When recruiting grounds staff (either voluntary or paid) responsible for the agronomic maintenance of the facility, consider if applicants:</p> <ul style="list-style-type: none"> • Are practical and fit • Have suitable experience, or whether there is a need to attend appropriate Institute of Groundsmanship courses • Have at least 3-4 years experience at 2 or more grounds (for a Head Groundsman) • Lack experience or knowledge, and will require provision for commissioning the services of a Sports Turf Agronomist to carry out routine visits and produce agronomic recommendations.
Premises	<p>Facilities required and available should include:</p> <ul style="list-style-type: none"> • Secure machinery maintenance and storage area • Appropriate storage for consumables (e.g. sand, fertilizer and agro-chemicals) • Fuel storage • Machinery wash down area • Storage area for disposal of grass clippings and composting (away from water courses) • Welfare facilities for staff.
Machinery and tools	<p>Basic maintenance equipment should include:</p> <ul style="list-style-type: none"> • Mower • Fertiliser distributor • Line marking equipment • Selection of hand tools such as strimmer, spade, shovel, devotting fork, brushes, switches, rakes and a wheel barrow • Measuring tapes, ropes, strings, measuring jugs / cylinders, buckets and pegs. <p>Access to the more specialised maintenance equipment, or provision to use specialist contractors, particularly for end of season renovations should include:</p> <ul style="list-style-type: none"> • Scarifier • Topdressing distributor • Overseeding drill • Sprayer • Vertidrainer • Hollow and solid tining equipment • Linear decompactor • Chain harrows • Drag mats • Irrigator,

APPENDIX 6

Playing areas

Ensure that consideration is given to the essential support facilities such as:

- Changing and social facilities
- Access and car parking
- Secure storage for maintenance machinery and sports equipment
- Storage for pesticides.

See the following separate Design Guidance Note downloads available from the Sport England website:

- *'Pavilion and Clubhouses'*
- *'Car Park and Landscape Design'*
- *'Comparative Sizes of Sports Pitches and Courts'*.

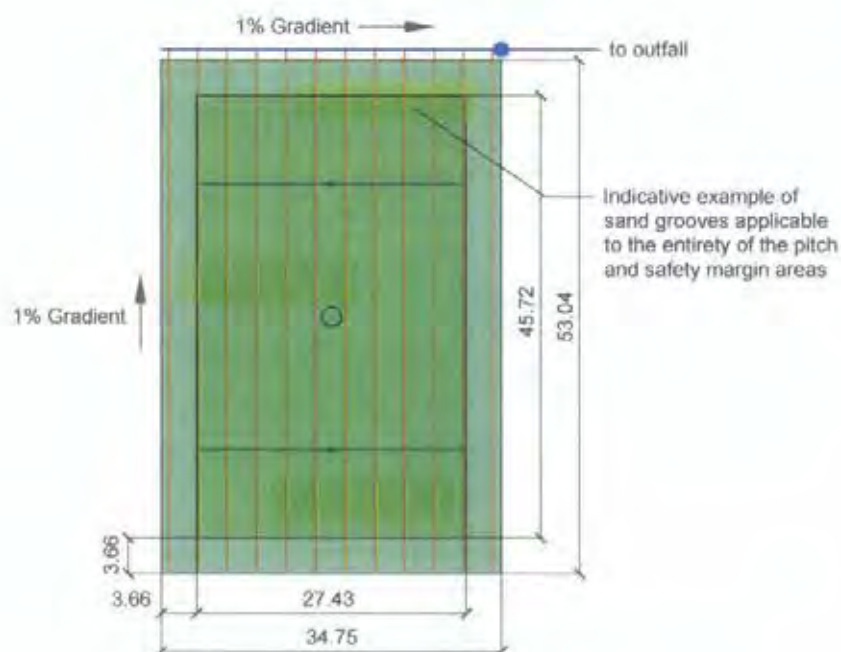
The following pitch layouts are included:

- Mini soccer
- Youth football
- Senior football
 - with sand grooves
 - with mole drains
 - with slit drains
- Rugby Union
- Rugby League
- Softball
- Baseball
- Cricket
 - Standard pitch layout
 - Combined cricket and winter games pitches
 - Pitch markings.








***The Football Association
publish their own PQS.***

See Appendix 4.

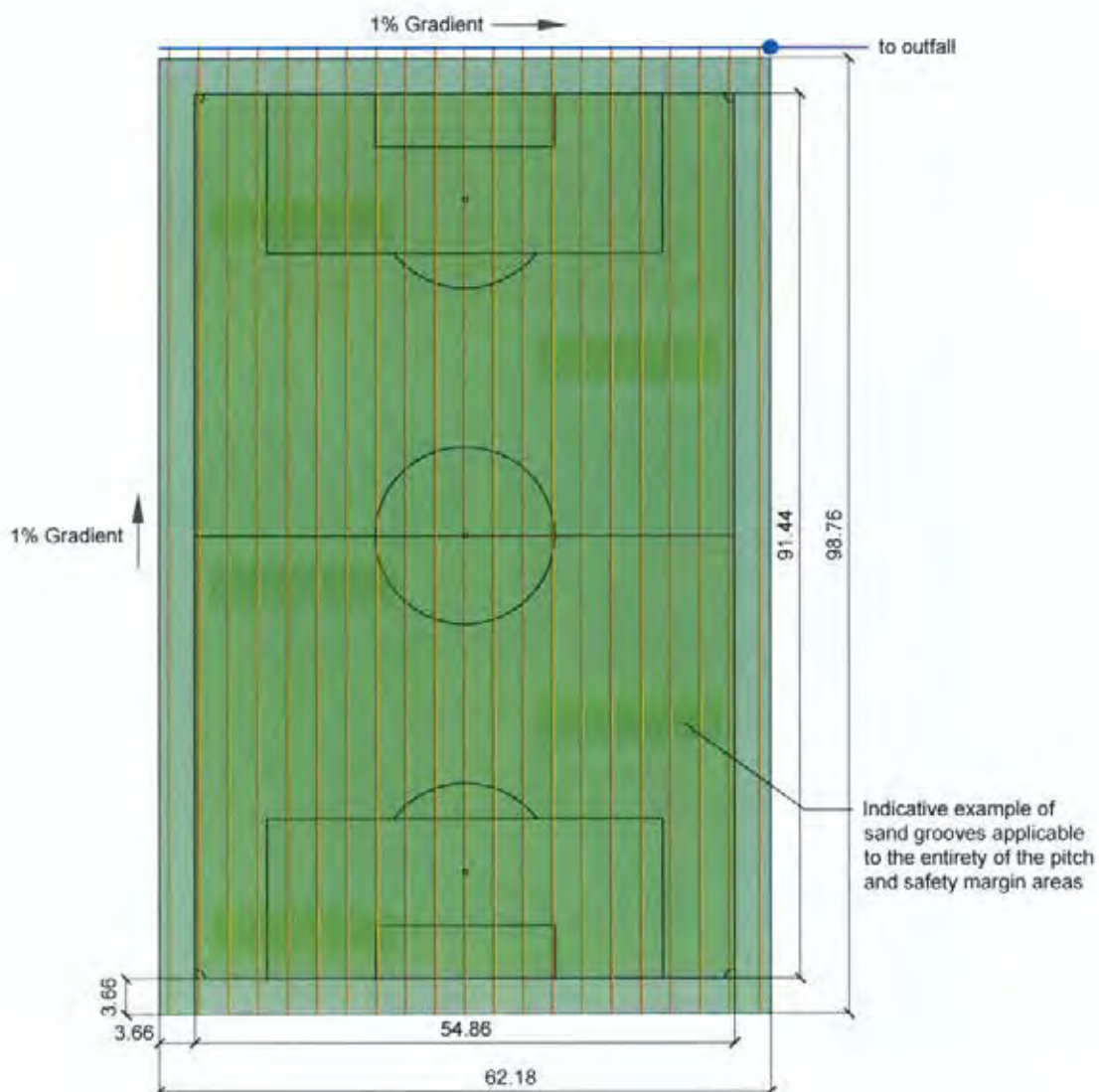
***See also their publication
'Football Facilities in
Schools' for recommended
goal posts and pitch sizes.***










KEY

-  80 mm Ø corrugated perforated laterals @ 3 m intervals
-  160 mm Ø corrugated perforated collector
-  150 mm Ø non-perforated twin wall smooth pipe
-  Indicative sand grooves @ 0.26 m intervals
-  Inspection chamber
-  Pitch area
-  Safety margin 3.66 m wide

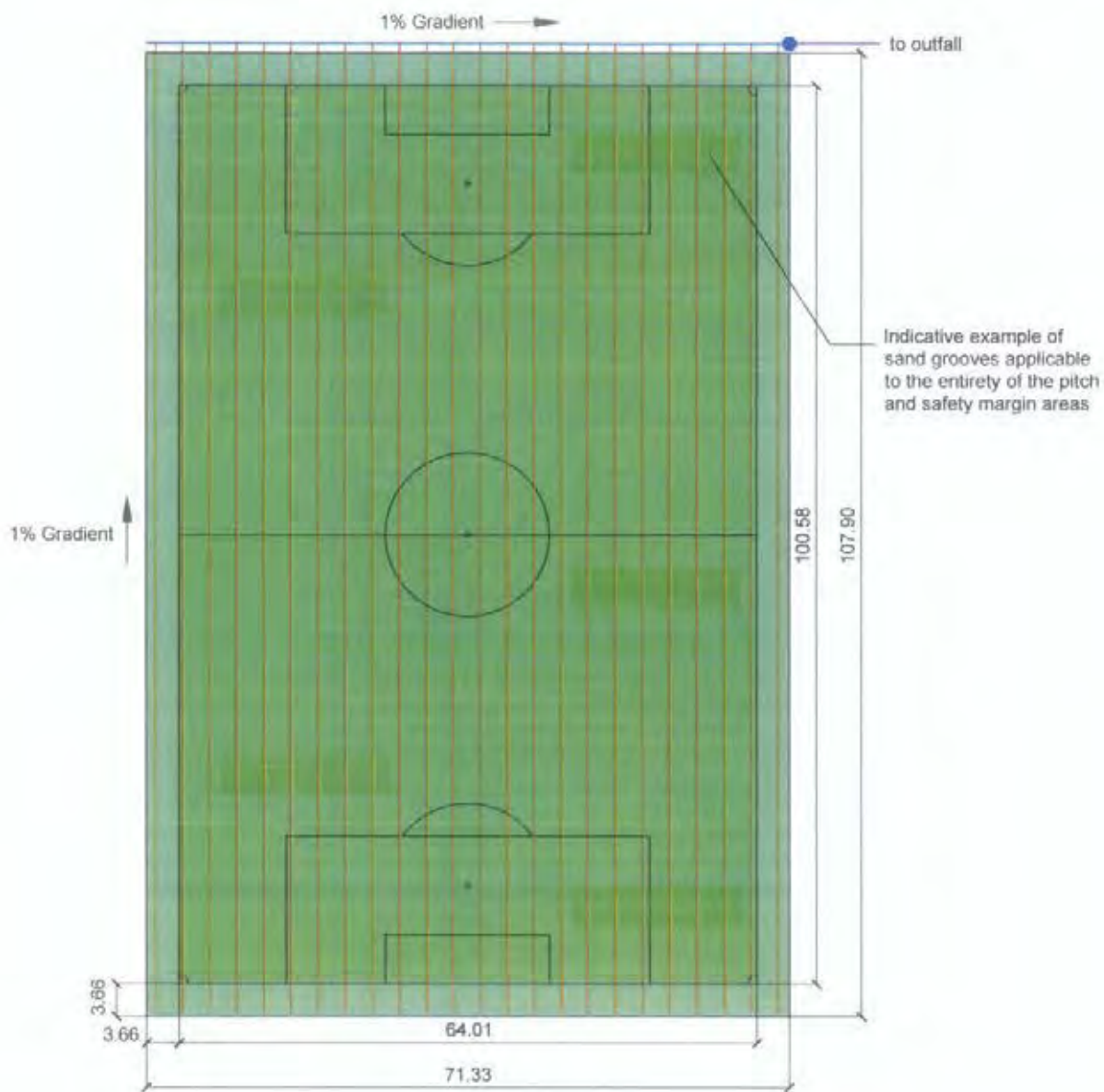
Playing area for Mini Soccer U8 - U7 (45.72 m x 27.43 m) - standard layout with sand grooves










KEY

-  80 mm Ø corrugated perforated laterals @ 3 m intervals
-  160 mm Ø corrugated perforated collector
-  150 mm Ø non-perforated twin wall smooth pipe
-  Indicative sand grooves @ 0.26 m intervals
-  Inspection chamber
-  Pitch area
-  Safety margin 3.66 m wide

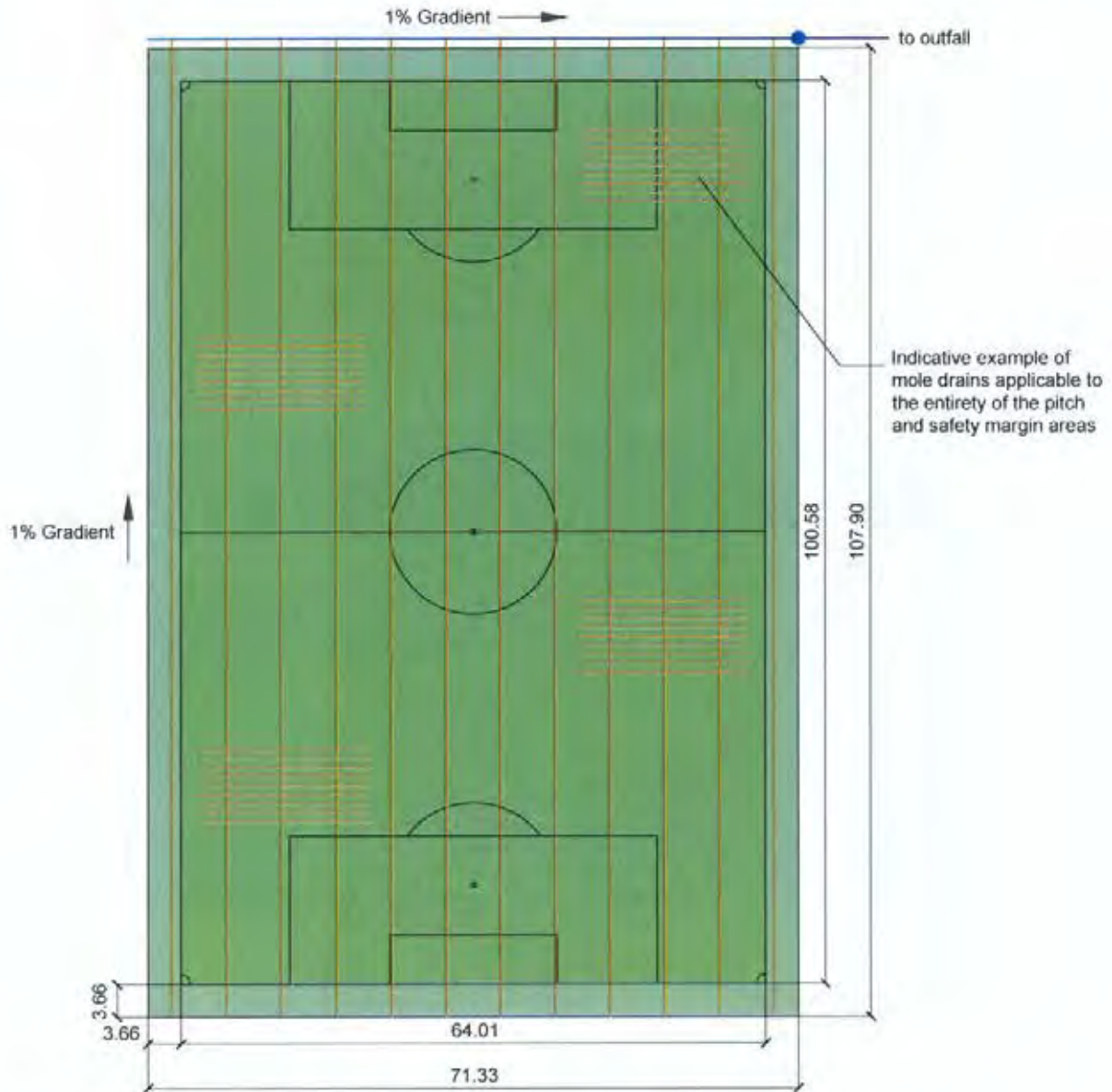
Playing area for Youth U15 - U16 Football (91.44 x 54.86 m) - standard layout with sand grooves










KEY

-  80 mm Ø corrugated perforated laterals @ 3 m intervals
-  160 mm Ø corrugated perforated collector
-  150 mm Ø non-perforated twin wall smooth pipe
-  Indicative sand grooves @ 0.25 m intervals
-  Inspection chamber
-  Pitch area
-  Safety margin 3.66 m wide

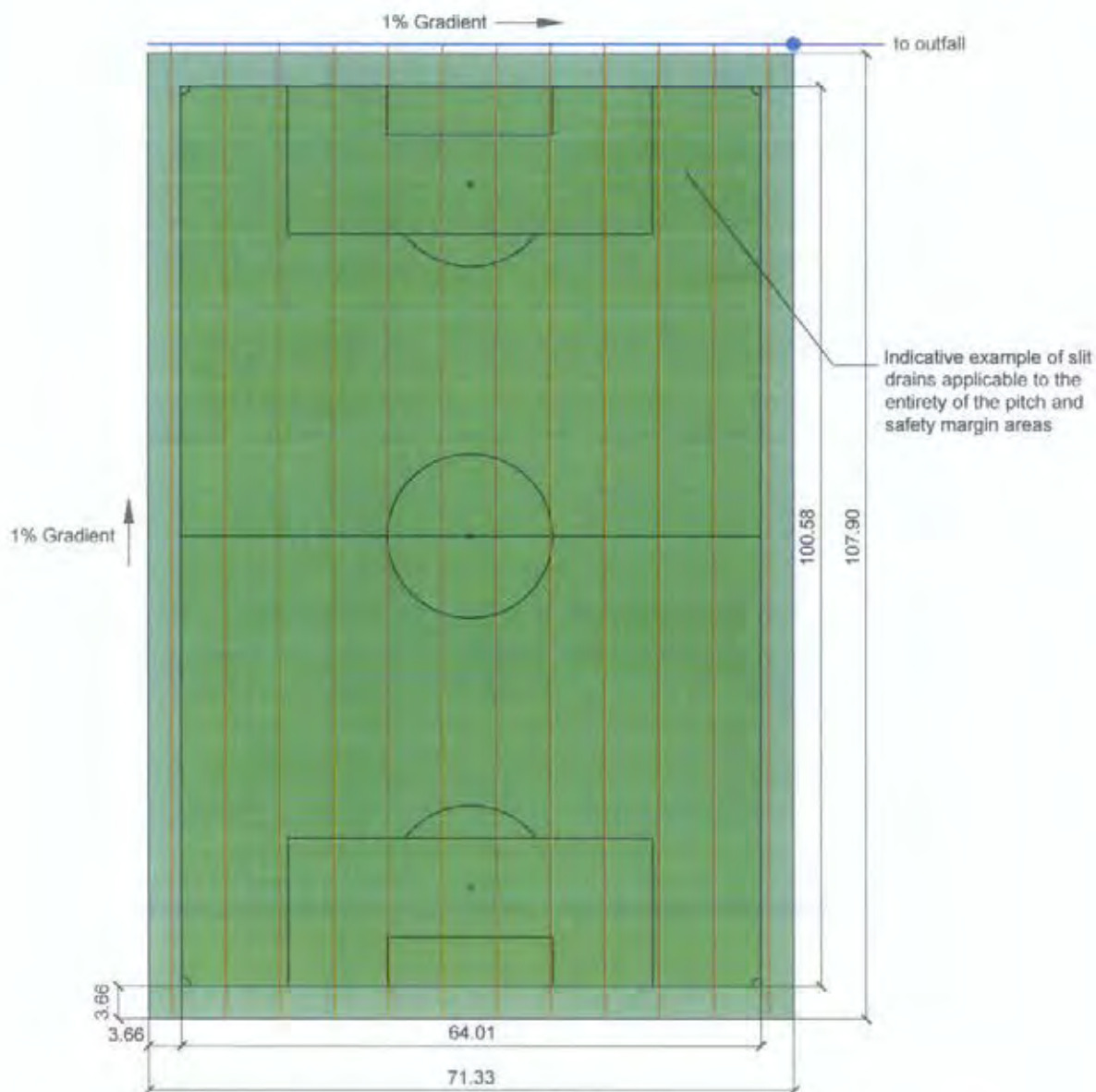
Playing area for Senior Football (100.58 x 54.01 m) - standard layout with sand grooves










KEY

-  80 mm Ø corrugated perforated laterals @ 6 m intervals
-  160 mm Ø corrugated perforated collector
-  150 mm Ø non-perforated twin wall smooth pipe
-  Indicative mole drains @ 1 m intervals
-  Inspection chamber
-  Pitch area
-  Safety margin 3.66 m wide

Playing area for Senior football (100.58 x 64.01 m) - standard layout with mole drains



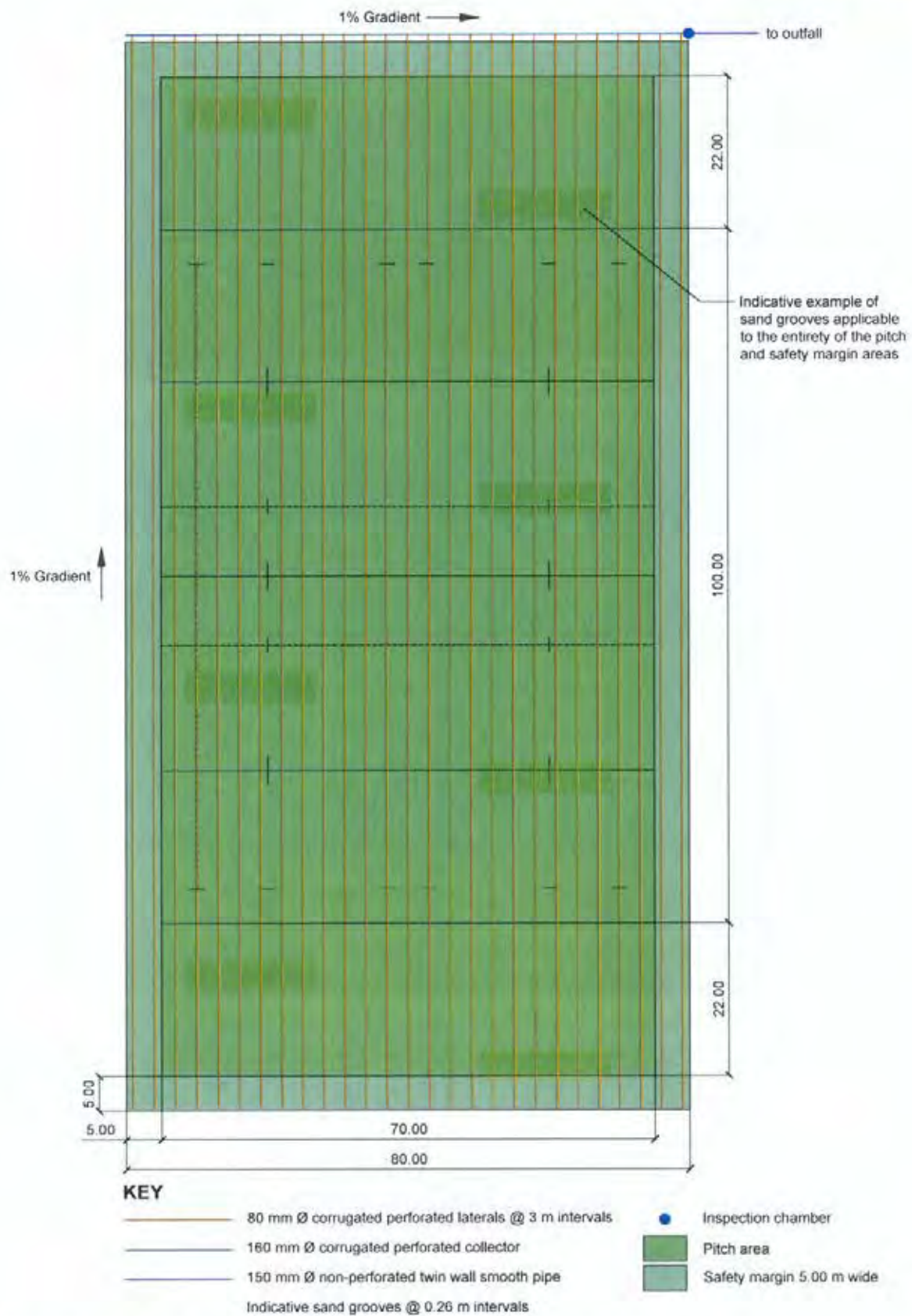
KEY

-  80 mm Ø corrugated perforated laterals @ 6 m intervals
-  160 mm Ø corrugated perforated collector
-  150 mm Ø non-perforated twin wall smooth pipe
-  Indicative slit drains @ 1 m intervals
-  Inspection chamber
-  Pitch area
-  Safety margin 3.66 m wide

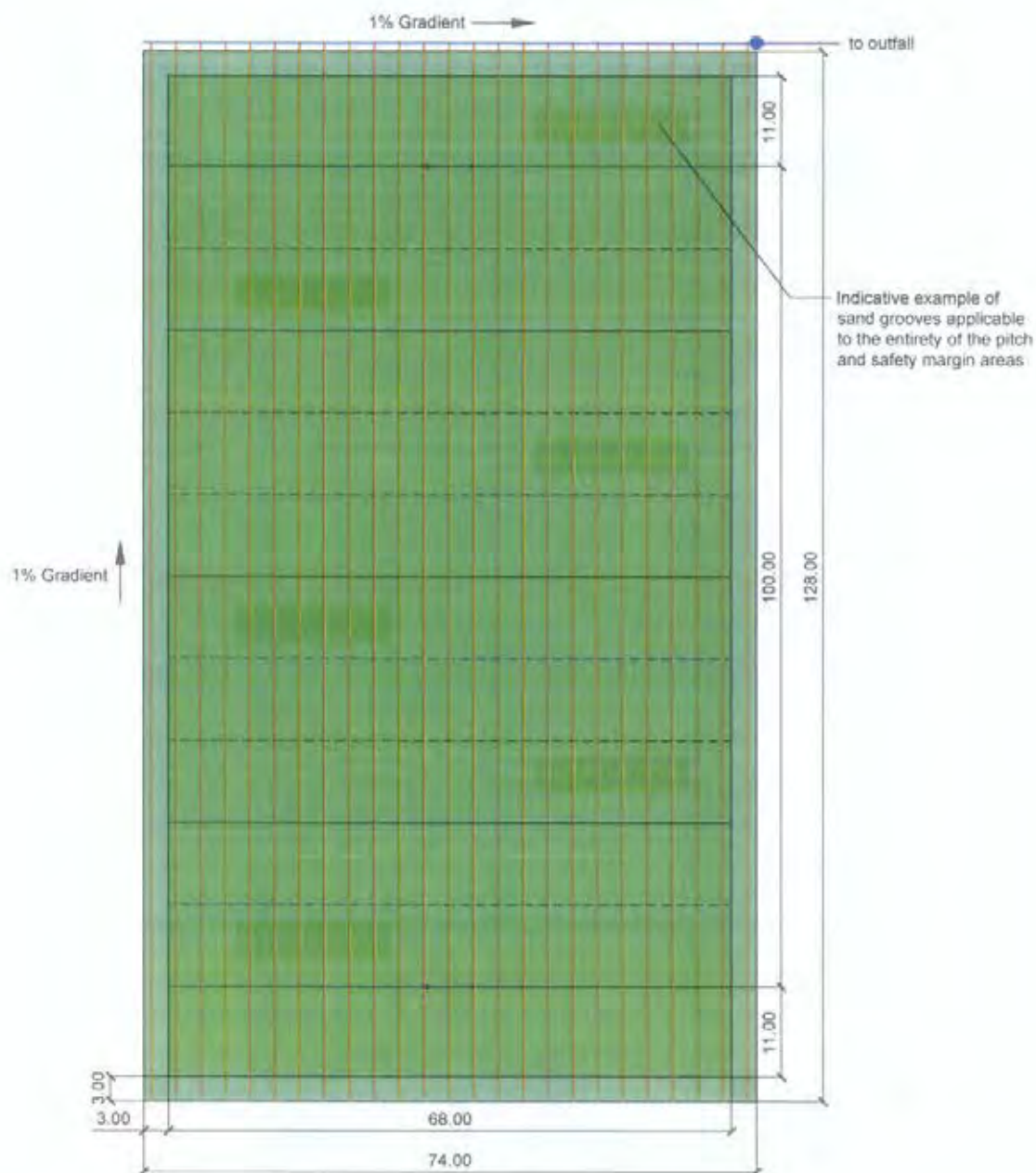
Playing area for Senior / Youth U17 - U18 Football (100.58 x 64.01 m) - standard layout with slit drains

Natural Turf for Sport

Design Guidance Note



Playing area for Senior Rugby Union (100.00 m x 70.00 m) - standard layout with sand grooves



KEY

- 80 mm Ø corrugated perforated laterals @ 3 m intervals
- 180 mm Ø corrugated perforated collector
- 150 mm Ø non-perforated twin wall smooth pipe
- Indicative sand grooves @ 0.26 m intervals
- Inspection chamber
- Pitch area
- Safety margin 3.00 m wide

Playing area for Senior Rugby League (100.00 m x 68.00 m) - standard layout with sand grooves

Natural Turf for Sport

Design Guidance Note

Field Dimensions		Playing field dimensions	Home Plate and Catcher's Box Detail
Adult	Diamond Size 27.43 m (90') Pitching 18.44 m (60'6") Home Run: • Left and right field min 99.05 m (325') • Centre field min 121.92 m (400')		
Under 16	Diamond Size 27.43 m (90') Pitching 18.44 m (60'6") Home Run 76.20 m (250')		
Under 13	Diamond Size 21.34 m (70') Pitching 14.02 m (46') Home Run 60.96 m (200')		
Under 10 and PlayBall!	Diamond Size 18.29 m (60') Pitching 14.02 m (46') Home Run 60.96 m (200')		

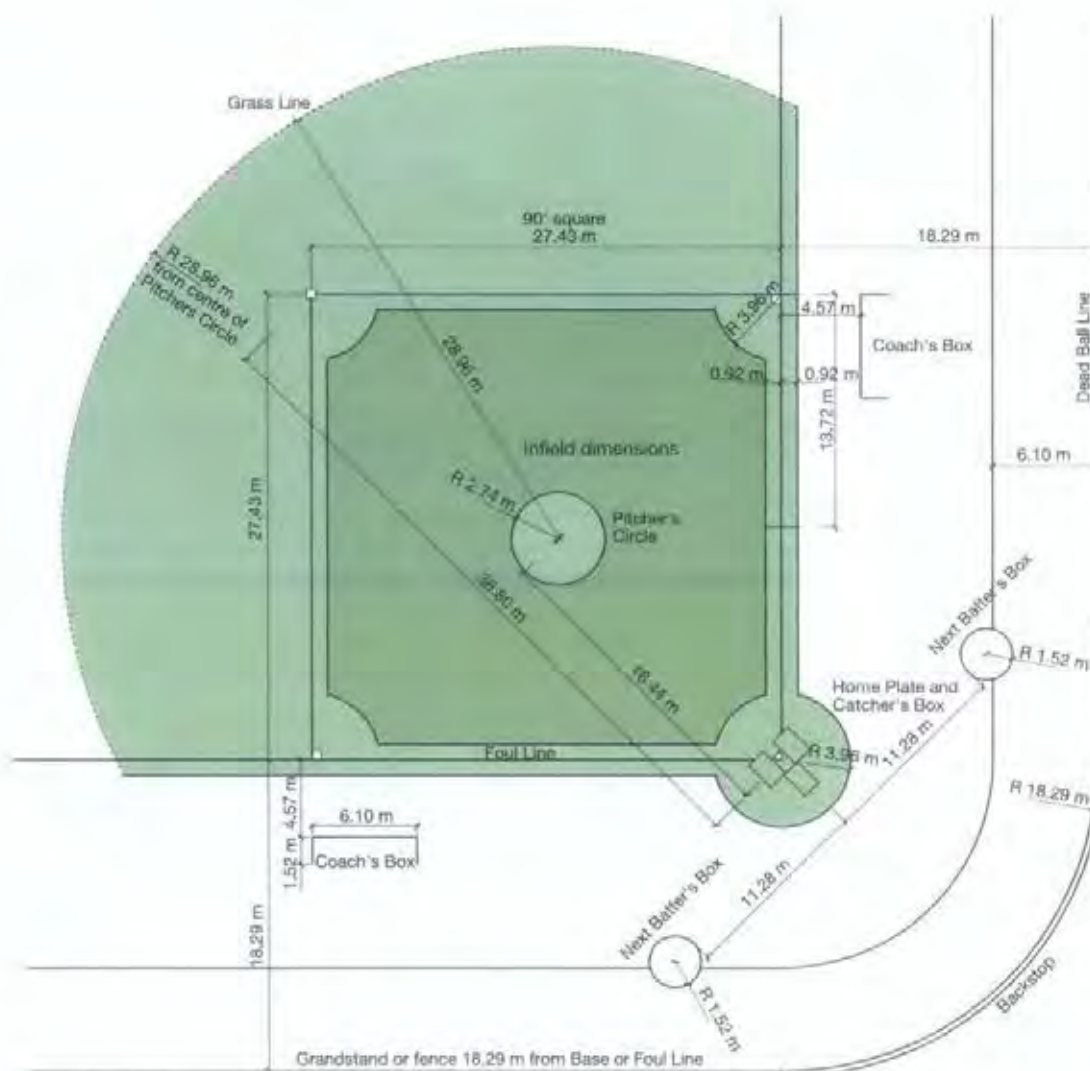
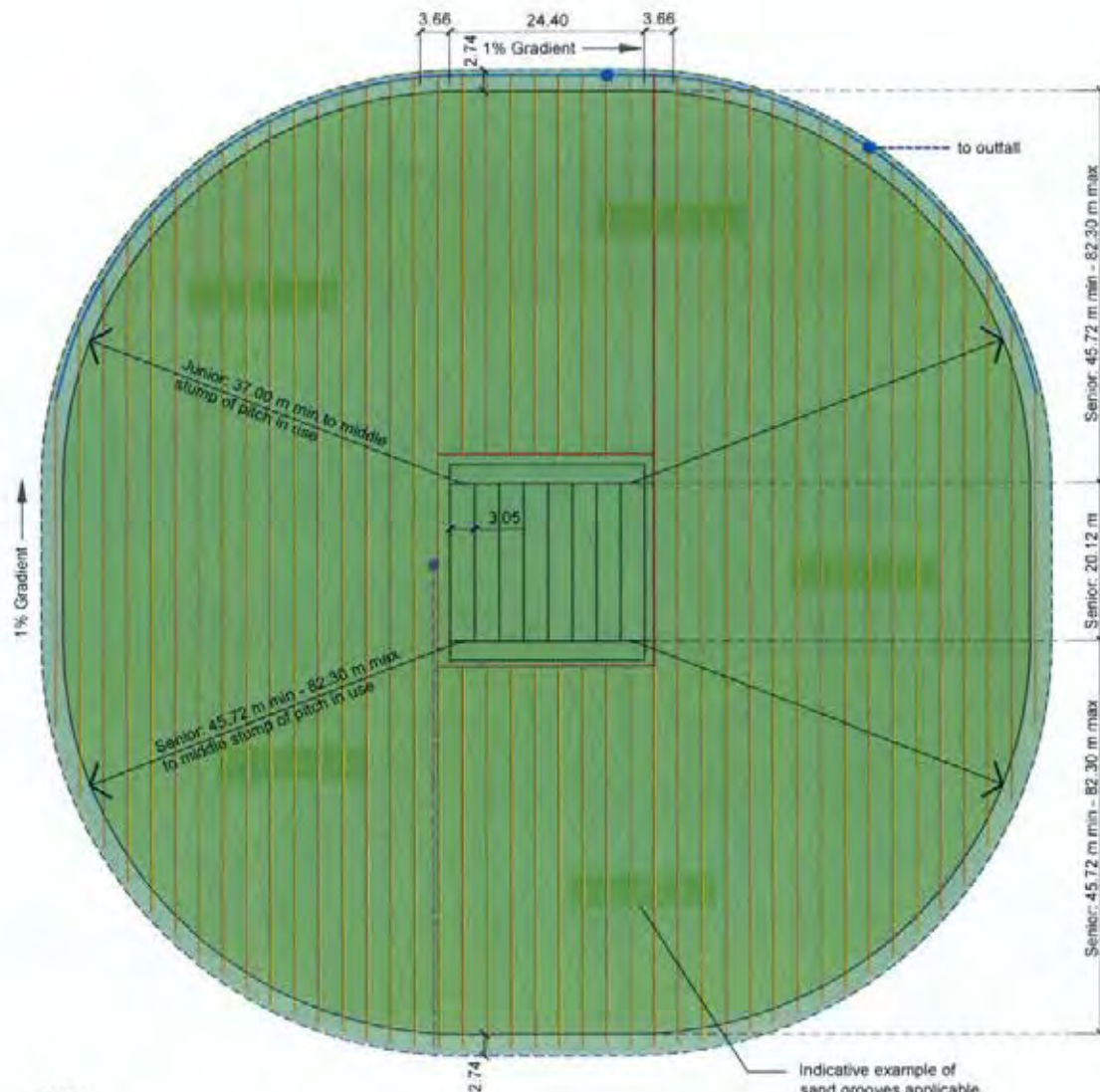












Diagram indicated is for Baseball
ADULT PITCH

Note: All data based on Baseball/Softball/UK / The British Baseball Federation guidelines

Playing area for Baseball



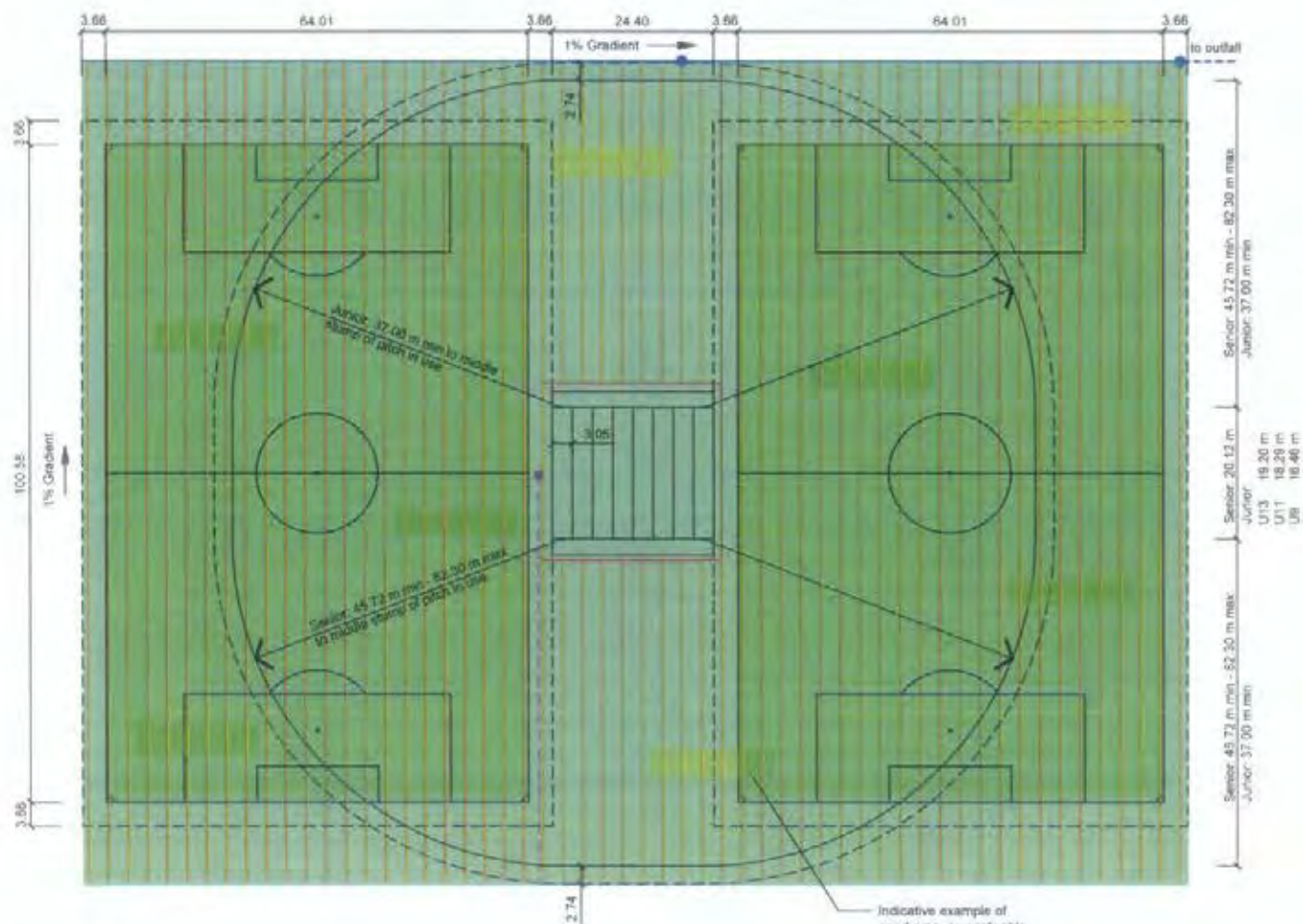
KEY

-  80 mm Ø corrugated perforated laterals @ 3 m intervals
-  100 mm Ø ring drain
-  160 mm Ø corrugated perforated collector
-  200 mm Ø non-perforated twin wall smooth pipe
-  Indicative sand grooves @ 0.26 m intervals
-  Irrigation pipe
-  Irrigation hydrant
-  Inspection chamber
-  Pitch area
-  Safety margin 2.74 m wide

Playing area for Senior Cricket (8 wicket pitch) - standard layout with sand grooves

Natural Turf for Sport

Design Guidance Note

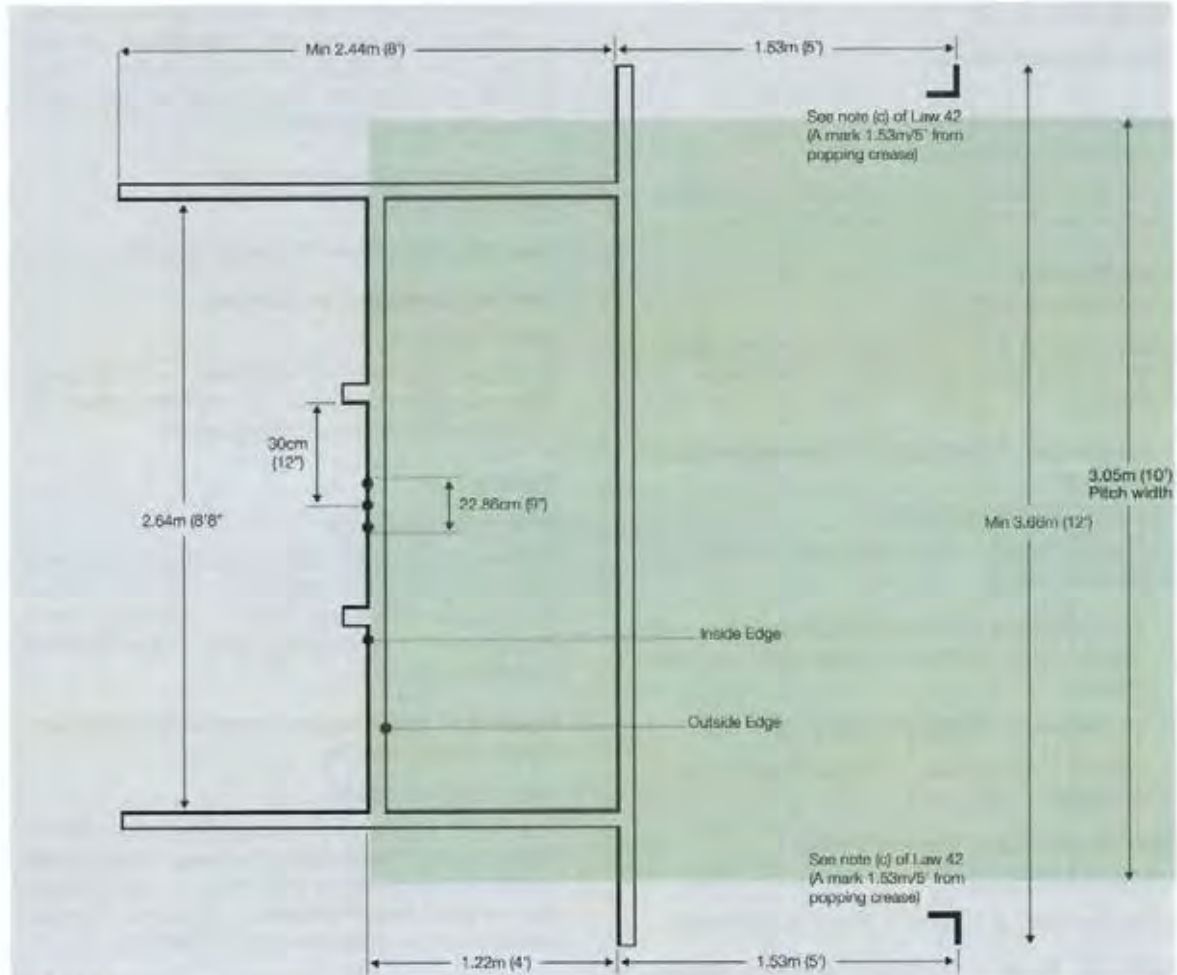


KEY

- 50 mm Ø corrugated perforated laterals @ 3 m intervals
- 100 mm Ø ring drain
- 160 mm Ø corrugated perforated collector
- - - 200 mm Ø non-perforated twin wall smooth pipe
- Indicative sand grooves @ 0.26 m intervals
- - - Irrigation pipe
- Irrigation hydrant
- Inspection chamber
- Winter sports pitch area

Indicative example of sand grooves applicable to the entirety of the pitch and safety margin areas

Playing area for Combined Cricket (8 wicket pitch) and Winter Games Pitches - standard layout with sand grooves



The Pitch



The Bowling, Popping and Return Creases

Based on extracts from Appendix B: Laws 7 and 9 of The MCC Laws of Cricket, Pitch Markings & ICC/ECB Playing Conditions²⁰

²⁰ Drawing taken from ECB document 'TS4 Recommended Guidelines for the construction, preparation and maintenance of cricket pitches and outfield at all levels of the game.'

APPENDIX 7

Related organisations

BaseballSoftballUK

www.baseballsoftballuk.com

BaseballSoftballUK is the development agency for baseball and softball in the United Kingdom.

Bowls England

www.bowlsengland.com

Bowls England is the National Governing Body (NGB) for the sport of flat green lawn bowls in England.

Cranfield University: Centre for Sports Surface Technology

<http://www.cranfield.ac.uk/sas/sst>

Specialist research centre involved in sport turf research including:

- the modelling of maintenance regimes that reduce CO₂ omissions and cost of turf pitches
- Guidelines for rolling in cricket
- Sports turf aeration in cricket pitches and outfield.

England and Wales Cricket Board

<http://www.ecb.co.uk/>

Governing body of Cricket in England and Wales.

Fields in Trust / National Playing Fields Association

<http://www.fieldsintrust.org/>

Fields in Trust is the new operating name for the National Playing Fields Association, a charity that owns 471 public recreation grounds set up as a memorial to King George V and campaigns to protect and promote open spaces for sports and recreation in British cities and towns.

Institute of Grounds Maintenance (IOG)

<http://www.iog.org/>

Membership organisation that promotes quality surfaces and technical expertise and represents grounds men, green keepers and all others involved in landscaping, horticulture, sports turf and amenity turf.

Land Drainage Contractors Association (LDCA)

<http://www.ldca.org/>

An association promoting best practice for contractors undertaking drainage of sports turf,

leisure and amenity areas. These include pitches at schools, colleges and universities, private sports clubs, football and rugby clubs, cricket pitches, golf courses, equestrian facilities, polo grounds and racecourses.

Lawn Tennis Association (LTA)

<http://www.lta.org.uk/>

Governing body for tennis in Britain

Learning through Landscapes

<http://www.lti.org.uk/>

A national charity who work with schools, early years settings, organisations and individuals to improve and develop school grounds.

Playlink

<http://www.playlink.org/>

Playlink is a multi-faceted independent play and informal leisure consultancy working in the areas of design, planning, policy, strategy, local engagement, fundraising and organisational development.

Register of Independent Professional Turfgrass Agronomists (RIPTA)

<http://www.ripta.co.uk/>

The RIPTA register promotes quality standards for Independent, Professional, Turfgrass Agronomists and lists organisations that meet certain criteria. It is supplied free of charge on request to anyone with a need for such consultancy services.

Rugby Football Union

<http://www.rfu.com>

The governing body for the game of Rugby Union in England.

Sport and Play Construction Association (SAPCA)

<http://www.sapca.org.uk/>

UK trade association for the sports facility construction industry. SAPCA represents specialist constructors, manufacturers and suppliers of sports surfaces and related products and plays an important role in the promotion of high standards for sports facilities.

Sports Turf Managers Association

<http://www.stma.org>

A non-profit making professional association for the men and women who manage athletic fields worldwide.

The British Baseball Federation (BBF)

<http://www.britishbaseball.org>

The British Baseball Federation (BBF) is baseball's national governing body. It administers, develops and promotes baseball in Britain.

The British Softball Federation (BSF)

<http://www.britishsoftball.org>

The British Softball Federation (BSF) is softball's national governing body. It administers, develops and promotes softball in Britain.

Play England

<http://www.skillsactive.com/playwork>

Play England provides advice and support to promote good practice, and works to ensure that the importance of play is recognised by policy makers, planners and the public.

The Football Association

<http://www.thefa.com/>

The organisation responsible for all regulatory aspects of the game of football in England.

The Sports Turf Research Institute (STRI)

<http://www.stri.co.uk/>

A centre for turf grass research and Agronomy and an independent consultancy in sports and amenity turf including golf, football, rugby, cricket, horse racing, bowling and tennis.

Turfgrass Growers Association

<http://www.turfgrass.co.uk/>

The Association is dedicated to the advancement of quality turf productions in the UK and Ireland.

APPENDIX B

Glossary of Natural Turf Terms

Aeration	The process of increasing the availability of air to soil and roots. Surface aeration involves the removal of thatch and debris accumulation at the base of the grass plant. Sub-surface aeration involves the creation of air-filled pathways between the surface and the soil below.
Aerator	Machinery for improving aeration including springbok rakes and scarifiers for surface aeration, and slitting, hollow tining and solid tining machines for sub-surface aeration.
Aggregate	A broad category of coarse particulate material including sand, gravel, crushed stone and recycled concrete. Due to the relatively high hydraulic conductivity value as compared to most soils, aggregates are widely used in land drainage applications.
Agronomy	The application of soil and plant sciences to land management.
Archaeology	The scientific study of past societies through artifacts, fossils, etc.
Attenuation (water)	The retention of water within the ground (and the reduction of flood water).
Blinding layer	A layer of grit which acts as a filter at the interface between coarse and fine aggregate (e.g. gravel and sand).
Bowling Crease	The bowling crease is the line through the centres of the three stumps at that end. It is 8 ft 8 in / 2.64 m in length, with the stumps in the centre.
Clay	<ul style="list-style-type: none"> • Soil, comprising very fine-grained particles (<0.002 mm), which behaves plastically when moist. • A soil textural class containing >35 % clay, <45 % sand and <45 % silt.
Chain harrow	An implement comprising a series of vertical tines, loosely linked together, that is towed across the surface to improve surface aeration and surface uniformity.
Cricket loam	A blend of sand, silt and clay tailored for use in the construction and maintenance of cricket tables.
Cultivar	A variety of a plant developed from a natural species.
Cultivation	The physical manipulation of soil using soil engaging implements.
Design and construct contract	In this type of contract, the contractor is responsible for taking a concept developed by the employer (often set out in an 'Employer's Requirements' document prepared by a consultant), completing the detailed design, and then pending the employer's approval on the design, proceed with construction.
Dragbrush	A tool for brushing in top dressing on natural turf and sand filled synthetic surfaces.
Dragmat	A tool for working in sand, top dressings and fertilizers. Can be used as a hand tool or drawn behind a small tractor.
Drainage	The removal of excess water held within the soil or ponding on the surface.
Drainage layer	An alternative term for a 'raft' which is a layer of gravel or stone chippings typically constructed 300 mm beneath a sports field to provide a means of collecting excess drainage water.
Drift	Transported rock debris overlying solid bedrock.
Ecology	The branch of biology concerned with the relationship between organisms and their environment.
Environmental Management Plan	A document providing a framework for dealing with the pollution risks associated with a site and activities on that site.
Fertilizer	Nutrients that are applied to soil to make it more fertile.
Friable	A term to describe the condition of soil when it is prone to crumbling rather than to deforming plastically.

Geology	A science that deals with the history of the earth as recorded in rocks.
Geotextile	Permeable fabric used to separate, filter, reinforce or protect soil.
Grading	The process of using cultivation to improve uniformity of surface levels.
Gradient	The slope across a playing field.
Grass	Species of vegetation used as a ground cover for aesthetic purposes or recreational use.
Gravel	Any loose rock that is larger than 2 mm in its smallest dimension and no more than 64 mm in its largest dimension.
Grit bands	Narrow grit-filled trenches, typically 30 mm wide and 250 mm deep, installed above a network of lateral drains to improve surface drainage.
Gulley	A surface drain comprising an perforated cover, set just below the surrounding land to provide a receptor for water accumulating on the surface.
Heeling	The consolidating of soil into an excavated area by a person using the heel of the foot.
Herbicide	A chemical agent that destroys plants or inhibits their growth.
Hollow tine aeration	The process of removing cores of soil, using hollow tines, to improve aeration and address soil compaction.
Hydrology	A branch of geology that studies water on the earth and in the atmosphere.
Infiltration	The movement of water through the surface of a playing field.
Irrigation	The application of water to land.
Isopachytes	A line on a map connecting points below which a particular rock stratum has the same thickness.
Loam	Soil comprising a blend of sand, silt and clay.
Lute	A tool for grading loose soils prior to seeding or turfing or for incorporating and levelling topdressings.
Marl	A loose and crumbling earthy deposit consisting mainly of calcite or dolomite.
Mottles	Spots of different colours (typically red) on the surface of a broken lump of soil which is indicative of seasonal water logging.
Outfall	A point at which water exits a drainage system (typically into a ditch or watercourse). A 'positive outfall' is where the difference in levels ensures that the drainage water is always flowing.
Over seeding	Application of additional seed to an existing sports field to address grass loss through wear.
Percolation rate	The rate at which water moves through soil.
Permeability	The readiness with which soil can be pervaded by water.
Performance Quality Standard (PQS)	The minimum acceptable performance criteria for a playing surface (e.g. drainage capacity, hardness etc.) for different levels of the game (e.g. local, regional or national).
Pesticides	A chemical used to kill pests.
Popping crease	The popping crease is in front of, and parallel to, the bowling crease and 4 ft / 1.22 m from it. The popping crease is marked to a minimum of 6 ft / 1.83 m on either side of the imaginary line joining the centres of the two middle stumps and is considered to be unlimited in length.
Pop-up irrigation	An irrigation system comprising an arrangement of sprinklers that rise above the playing surface during operation and return to a position that is flush with, or just below, the surface upon completion.
Positive outfall	An efficient means of disposal of excess drainage water emanating from a drainage scheme (typically a ditch or watercourse).

Raft	An alternative term for a 'drainage layer' which is a layer of gravel or stone chippings typically constructed 300 mm beneath a sports field to provide a means of collecting excess drainage water.
Reinforcement	The inclusion of synthetic fibres within the rootzone to increase wear resistance and strength.
Return Crease	The return creases are at right angles to the popping crease at a distance of 4 ft 4 in / 1.32 m either side of the imaginary line joining the centres of the two middle stumps. Each return crease is marked from the popping crease to a minimum of 8 ft / 2.44 m behind it and shall be considered to be unlimited in length.
Rootzone.	<ul style="list-style-type: none"> • The region within the soil profile where the majority of roots are located. • A blend of sand and soil used to construct sports surfaces.
Run-off	The movement of excess water across the surface of a playing field following significant rainfall.
Safety margin	An additional area around the perimeter of a court or pitch to reduce the risk of injury to players as a result of interaction with adjacent games or site infrastructure.
Sand amelioration	The application and incorporation of sand into the surface of a sports field to improve playability.
Sand grooves	Narrow slits, approximately 150 mm deep and 20 mm wide, introduced by a machine at a spacing of 260 mm to improve surface drainage. These grooves are forced into the soil with a tine rather than being created by excavating a narrow trench, and can be filled with sand or fine grit.
SAPCA	A UK trade association for the sports facility construction industry (Sport and Play Construction Association). SAPCA represents specialist constructors, manufacturers and suppliers of sports surfaces and related products, and plays an important role in the promotion of high standards for sports facilities.
Scarification	A process of mechanical raking the turf surface in order to remove underlying thatch or moss material.
Secondary drainage	Drainage systems designed to intercept surface water and convey it to a subsurface drainage system (e.g. sand grooves, slit drains and grit bands).
Seedbed	A term referring to the state of soil following preparation for seeding (i.e. through cultivation). Typically, the tilth would be characterised by fine crumb structure.
Silt	Soil comprising fine-grained particles (0.060 mm to 0.002 mm).
Site Waste Management Plan	A document that sets out how resources will be managed and waste controlled at all stages during a construction project. In England, a site waste management plan (SWMP) is required for all construction projects worth more than £300,000.
Slit drains	a series of narrow, commonly 50 mm wide, sand and gravel filled trenches excavated across, and into the porous backfill of, lateral drains below. Slit drains are typically 250 to 350 mm deep and installed at 0.5 to 2.0 m spacing.
Specification	An explicit set of requirements to be satisfied by a material, product, or service.
Springbok rake	A hand tool for thatch and moss removal and leaf raking.
Soakaway	An underground structure that disposes of unwanted water, most commonly storm water runoff, by dissipating it into the ground, where it merges with the local groundwater.
Soil compaction	A reduction of air-filled pore space in soil following loading, resulting in an increase in dry bulk density.
Soil profile	A cross-section through an area of land.
Soil Texture	A description of the proportion of grain and mineral particle sizes in soil.
Subsoil	The layer of soil under the topsoil.
Subsoiler	A tractor-drawn implement for alleviating compaction in the subsoil.

Suspended water table	Sports field or golf green construction that provides maximum removal of water during heavy rain, but stores water in rootzone above a gravel raft during periods when the ground is not saturated.
Sustainable Urban Drainage Systems (SUDS)	Water management practices and facilities designed to drain surface water in a manner that will provide a more sustainable approach than what has been the conventional practice of routing run-off through a pipe to a watercourse.
Sward	Expanse of short grass.
Switch	Hand tool designed to remove dew, debris and worm casts from the surface of fine turf.
Tilth	A term referring to the state of soil following tillage (cultivation with soil-engaging implements).
Tine	A soil-engaging implement.
Thatch	The accumulation of partially decomposed organic matter at the base of a grass sward.
Top dressing	<ul style="list-style-type: none"> • The application of sand or rootzone to the surface. • The application of fertilizer to a growing crop (mainly in agriculture).
Topography	The practice of graphic delineation in detail, usually on maps or charts, of natural and man-made features
Topsoil	The soil horizon immediately below the grass sward (typically extending to between 100 and 300 mm below the surface).
Traditional contract	In such a contract the employer contracts with an architect, engineer or consultant to carry out the design. The architect, engineer or consultant, acting as the agent of the employer, supervises the construction of that design. The contractor enters into a contract with the employer to build that design.
Turf	A grass, root and soil system maintained for aesthetic purposes or recreational use
Turfbed	A term referring to the state of soil following preparation for turfing (i.e. through cultivation). Typically, the tilth would be characterised by fine crumb structure.
Twin wall pipe	Drainage pipe that is corrugated on the outside to provide additional strength, but smooth on the inside to reduce frictional losses during the conveyance of water.
Verti-drainer	A tined aerator typically used to alleviate soil compaction by imparting 'heave' during the operation to create cracks and fissures in the soil.
Waste Acceptance Criteria (WAC)	<p>Criteria to be met before waste is accepted at a landfill site. There are different acceptance criteria for:</p> <ul style="list-style-type: none"> • Inert waste • Non-hazardous waste • Hazardous waste.
Watercourse	Any flowing body of water including rivers, streams and brooks.
Wacker plate	A machine, comprising a vibrating plate, for compacting soil (also known as a soil plate compactor).



Alternative Languages and Formats:

This document can be provided in alternative languages, or alternative formats such as large print, Braille, tape and on disk upon request.

Call the Sport England switchboard on 08458 508 508 for more details.

Information Prepared By:

Sport England, Robin Wilson Consulting & S&P Architects

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Institute of Groundsmanship (IOG)

Labosport UK

Maber Architects

Materials Science Consultants (MSC)

Sport and Play Construction Association (SAPCA)

Sports Turf Research Institute (STRI)

Stock Exchange

User Guide:

Before using this design guidance note for any specific projects all users should refer to the User Guide to understand when and how to use the guidance as well as understanding the limitations of use.

[Click here for 'User Guide'](#)

[Click here for current 'Design and Cost Guidance'](#)

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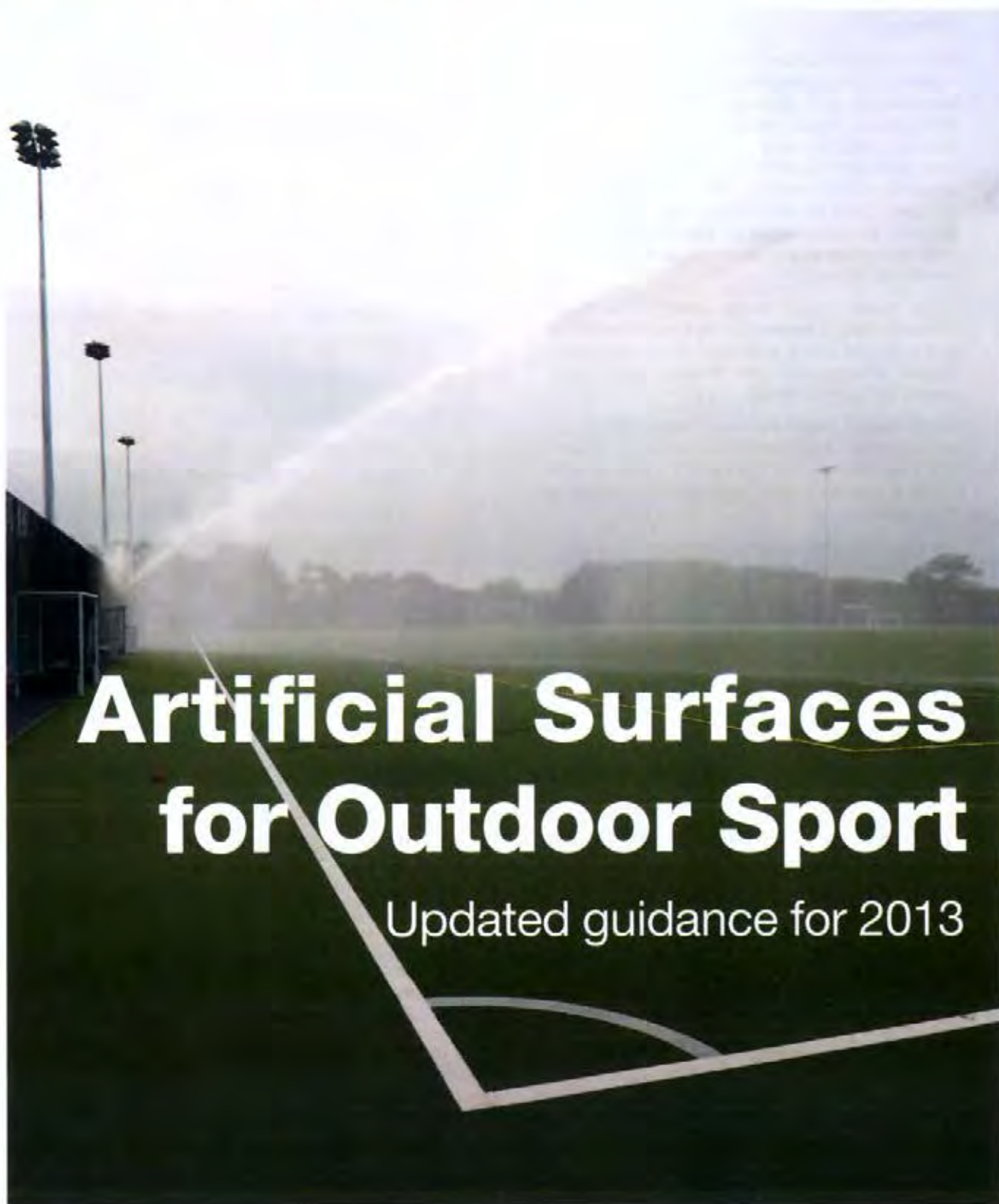
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Foreword

Sport England believes that good facilities are fundamental to developing sporting opportunities for everyone, from the youngest beginner to the international class athlete. Outdoor sports facilities, whether large or small, can encourage civic pride and assist the process of revitalising deprived neighbourhoods. Facilities that are well designed, built to last and well maintained are a pleasure to use and give an ample return on the time and money invested in their construction and day to day operation.

Good design needs to be based on a sound understanding of issues such as the current trends and practices within individual sports, the wider leisure industry and the lessons learnt from previously built schemes.

Good design needs to be embraced within the earliest vision statement for a particular project and enshrined in the initial briefing stage through to the final detailed specifications and operational arrangements.



Sport England Design Guidance Notes aim to promote a greater general understanding of overall design concepts, an appreciation of technical issues and the critical factors that need to be considered in reaching the appropriate solution for a particular project. They also advise where further information, advice and expertise may be found and point to benchmark examples.

Sport England's Design Guidance Notes aim to:

- **Increase awareness of good design in sports facilities**
- **Help key building professions, clients, user representatives and other stakeholders to follow best practice**
- **Encourage well designed sports facilities that meet the needs of sports and are a pleasure to use.**

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<ul style="list-style-type: none">• General• Advantages of artificial surfaces• Common forms of artificial sports areas• School provision• Technical language• Background and trends• Typical construction• <i>Active Design</i> principles		<ul style="list-style-type: none">• Playing surface• Outdoor sports lighting• Costs in use and replacement funds	
2.0 Key issues	12	Appendix 1	36
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4.0 Site planning principles	25		
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<ul style="list-style-type: none">• Drainage• Base and sub-base construction• Playing lines• Initial settling down period for surfaces• Corrective / remedial action to surfaces• Equipment• Equipment storage• Fencing• Divider netting and screening• Ball rebound systems• Outdoor sports lighting			

1.0 Introduction

General

This Design Guidance Note considers design issues for a wide range of outdoor sport spaces including pitches, single sports use courts and multi use games areas (MUGAs) with artificial surfaces constructed from various combinations of man-made materials¹. It is concerned with optimising the provision of all such facilities whether they are located in new or existing schools, local parks, sports clubs or as part of larger regeneration projects.

The guidance covers:

- The benefits of various surface materials
- Design concepts
- Common technical expressions
- Technical classifications of various playing surfaces
- Suitability of surfaces for various levels of sports at training or performance levels
- Other sources of information and more detailed advice.

Artificial pitches can provide an array of cost effective and efficient facilities to suit a wide range of sports and physical activities.

Advantages of artificial surfaces

The general advantages of artificial pitches over natural grass can be summarised as allowing:

- Greater durability
- More efficient use of space
- Increased usage²
- Flexibility
- Better overall value for money
- Defined performance characteristics.

A further advantage is that less maintenance is required for a given level of use when compared to natural grass. However it is a myth that artificial playing surfaces are maintenance-free. For example, an artificial grass pitch is likely to have the same annual maintenance cost as a turf pitch, but be able to take ten times as much use³.

Specification and construction techniques can be tailored to a spectrum of uses and budgets, and include casual kick about or recreation areas, more serious training pitches and various levels of competition venues.

However, there are important safety and management implications that are explained later in this document (see Section 2.0).



A polymeric hard court used as an informal play and amenity area within a school site

¹ This new guidance supersedes the previous Sport England / SAPCA document 'A Guide to the Design, Specification and Construction of Multi Use Games Areas (MUGAs) Including Multi-Sport Synthetic Turf Pitches (STPs) - Part 1 (of 3) - General Guidance and Design Considerations; Dimensions and Layouts

² Subject to weather conditions, a well-maintained grass pitch would allow some seven hours of use per week.

³ 'Maintaining Synthetic Turf: Sand Filled Systems, The Cranfield - IQG Guidelines'

'The SAPCA Code of Practice for the Maintenance of Synthetic Sports Surfaces'



Mini tennis court included in a multi sports hard court area

Common forms of external artificial sports areas

The most usual forms of external artificial sports areas include:

- Small informal play areas with mini sports features
- Small multi use games areas (often referred to as MUGAs)
- Specialist courts for tennis or netball
- Larger format pitches that can be used for training for hockey, football and/or rugby
- Competition pitches for hockey, football or rugby
- Cricket wickets (match and practice)
- Athletics training facilities
- Flat green bowls facilities.

However, every situation should be considered from first principles and the briefing and design process should be tailored to the needs of each locality. Flexibility should be built in to help maximise use and promote long-term sustainability. For example, a full-sized artificial grass pitch (AGP) for hockey or football can be designed for a number of smaller 5-a-side pitches across the width or as a flexible physical education area - see Appendix 1 for typical layouts.

School provision

For school sites, artificial sports surfaces offer advantages and are promoted in standard briefing guides for schools⁴:

• Sports pitches

All-weather pitches, including artificial grass pitches or polymeric surfaces, allow more intensive use than grass and, particularly with floodlighting, can also offer a popular community resource.

• Games courts

Laying out a variety of courts within a single multi use games area makes supervision easier and extends the range of games. It must be recognised however, that whenever a facility is designed for use by two or more sports, it is likely that the different sports will have different 'ideal' playing characteristics and some compromise in performance is likely.

• Athletics training facilities

Not many schools have the necessary space to accommodate full-sized athletics tracks. Schools and their design teams should look first at the space available and then consider if other sports can also be included with athletics. Polymeric surfaces are the preferred option for athletics but an artificial grass surface is an acceptable option.

• Other school areas

Artificial sports areas offer great potential for other 'hard', 'informal' and 'social areas' on a school site. See Sport England document *'Thinking Differently'* for how imaginative design concepts can provide stimulating physical education facilities in a school context.



Colour used to enliven a multi use artificial grass pitch on a school site

⁴ BB 98 Briefing Framework for Secondary School Projects. DFES

BB 99 Briefing Framework for Primary Schools Projects. DFES

Technical language

Common technical expressions and abbreviations.

All weather surface	Playing surface unaffected by rain (but effected by frost and snow).
Astroturf ¹	Trade name of original artificial grass product often mis-used as a generic term for artificial grass.
AGP	Artificial Grass Pitch: Preferred term used to describe a playing surface made from strands of polymeric material such as nylon or polypropylene.
ATP	Artificial Turf Pitch: As AGP above, refers to a playing surface made from strands of polymeric material such as nylon or polypropylene.
AP	Active Places - database of facilities which provides the baseline information for all the 'Active' planning tools.
APE	Active People / Active England – the survey results from the December 2006 report, relating to current participation rates for adults i.e. 3 x 30 minutes of participation in sport and physical activity per week.
BB 98	The minimum level of provision, across all spaces, recommended for secondary schools.
BB99	The minimum level of provision, across all spaces, recommended for primary schools.
BSF	Building Schools for the Future.
BREEAM	Building Research Establishment Environmental Assessment Method, for various sustainability factors.
CSN	Community Sports Network.
CSP	County Sports Partnership.
Community Use	Describes facilities, which are 100% accessible for use on a turn up and play basis; no membership fee required.
Community use agreements	Legal agreement that defines the extent of community use of educational facilities.
DDA	Disability Discrimination Act.
Dynamic Base	Description of the sub-surface layers of a sports surfacing system where the layers, supporting the surfacing system, are of an unbound construction. This contrasts with an 'engineered base' system where the sub-surface layers are bituminous-bound macadam.
Extended Schools	The initiative which seeks to increase access to a number of activities for the community on school sites, outside curriculum time; activities could include sport, ICT, etc

See Sports and Play Constructors Association (SAPCA) web site for a full list of technical terms.

<http://www.sapca.org.uk/page.asp?node=39&exc=1> - Glossary of Terms

Engineered base	Description of the sub-surface layers of a sports surfacing system where the structural layers supporting the surfacing system are of a bituminous-bound macadam construction. This contrasts with a 'dynamic base' system where the sub-surface layers are unbound. Engineered bases can also be of in-situ formed concrete with respect to artificial surfaced bowls greens or cricket wickets.
Football turf	FIFA reference to '3G' pitches.
FTP	Football turf pitch - The FA's abbreviation for a 3G surfaced football pitch.
Hard court	A sport surface based on road building technology with little or no cushioning / resilience within the playing surface.
LA	Local Authority.
LAA	Local Area Agreement.
LDF	Local Development Framework.
MUGA	Multi Use Games Area.
NGB	National Governing Body.
Participation	Where participation is referred to, this means 5 x 30 minutes per week, which is the basis on which the current levels have been assessed for adults (16+), and on which any increases will be measured by Sport England (Active People Survey) hours per week of quality PE for every student, plus 2 hours per week of quality PE / physical activity out of school hours.
Polymeric	A term covering plastics, rubbers and synthetic resins.
PCT	Primary Care Trust.
PESSCL	The Physical Education and School Sport Club Links Strategy.
PSA	Public Service Agreement.
S106	Section 106 (S106) of the Town and Country Planning Act 1990 allows a Local Planning Authority (LPA) to enter into a legally-binding agreement or planning obligation with a landowner in association with the granting of planning permission. The obligation is termed a <i>Section 106 Agreement</i> . These agreements are a way of delivering or addressing matters that are necessary to make a development acceptable in planning terms. They are increasingly used to support the provision of services and infrastructure, such as highways, recreational facilities, education, health and affordable housing.

Sand filled pitch	A type of artificial grass pitch (normally of tufted carpet) where the carpet is fully sand-filled to within 2 – 3 mm of the top of the pile.
Sand dressed pitch	A type of artificial grass pitch (normally of tufted carpet) where the carpet is only partially filled with sand. The sand is to help stabilise the carpet and retain some moisture in the system. The infill is not normally necessary for the playing performance of the surface.
Shock pad	A resilient layer below the playing surface to give a degree of cushioning / resilience to an impact of a player or ball.
SSP	School Sports Partnership.
STP	Synthetic turf pitch. As AGP above, refers to a playing surface made from strands of polymeric material such as nylon or polypropylene.
The 5 Hour Offer	The Government PSA target which seeks to provide all 5 - 16 year olds with access to 5 hours of sport per week by 2011, which includes 2 curriculum hours of quality PE, and 3 hours of sport and physical activity out of curriculum time; for 16-19 year olds the aim is to encourage them to take part in 3 hours of sport and physical activity per week. The activity in extra curriculum time will be delivered in partnership with e.g. clubs.
Water based pitch	A type of artificial grass pitch (normally of woven carpet) where the carpet is not filled with sand. The carpet is usually shorter piled than the sand filled type having a much higher pile density and requiring a regular application of water during matches to reduce player friction and slow the speed of the ball down across the surface. Combined with some form of underlay / shock-pad, sometimes integral. The carpets and / or the pad are typically designed to retain the applied water whilst maintaining a free draining characteristic.
3G pitch	An abbreviation of the so called 'third generation' of artificial grass pitch construction using longer pile artificial grass with a rubber crumb infill / dressing within the pile to influence friction and impact characteristics.

Needle punch	A type of carpet commonly used for all types of sports facilities, primarily bowls, cricket and tennis. It is formed by layers of polymer fibres which are needled together. The carpet can be sand filled or non-sand filled to suit the intended sport.
Woven	Can be either a woven polypropylene carpet (cloth-like in appearance) which is non sand filled primarily used for indoor and outdoor bowls greens or a non-filled artificial grass cricket carpet.

Outdoor sports surfaces can be split into two categories - natural and artificial.

A natural surface is one formed by the suitable preparation of natural areas of land (such as grass).

An artificial surface is one constructed with a variety of man-made materials (such as timber boards, synthetic products or bituminous products).

Within each of these groupings, there are many sub-categories of surfaces which are used for a multitude of different sports.

See the Sport England Design Guidance Note 'Athletics' for examples of athletics tracks integrated with an all weather pitch.

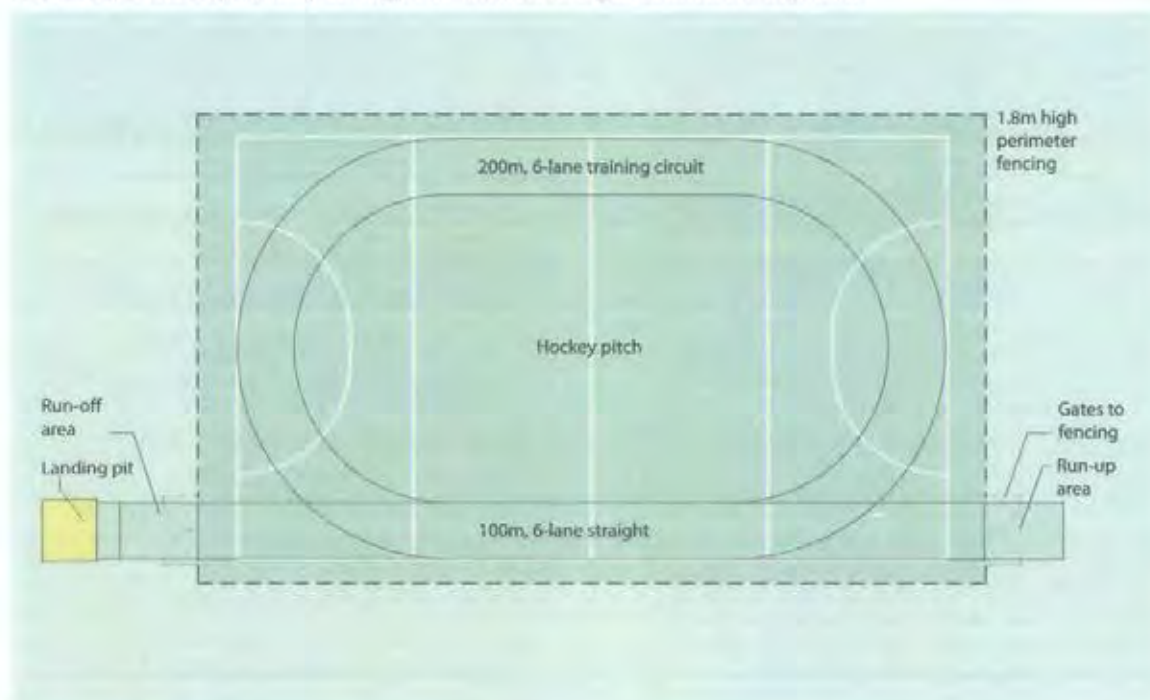


Artificial surface with a simple weather protective structure

Figure 3 below demonstrates the potential for greater use of artificial turf pitches for athletics training:

- Hockey pitch enclosure (63.0 x 101.4 m)
- 200 m, six-lane marked training circuit
- 100 m, six-lane straight and gates to the perimeter fence to access run off and landing pit areas

The principle could be equally well applied to a multi use games area development.



Artificial grass can be used both as an indoor and outdoor sports surface

See 'Floors for Indoor Sports' Design Guidance Note available from the Sport England web site.

Background and trends

The majority of outdoor sports have evolved in environments using natural turf. However, in recent times, the desirability of using natural turf in some situations has been brought into question. Restrictions on available land, increasing participation in sport, the need to lessen external environmental influences and the desire to reduce operating and maintenance costs have led to alternatives becoming more widely used.

See separate Sport England Design Guidance Note '*Natural Turf for Sport*' for further details of the maintenance requirements, limitations in use due to wet weather and recovery time after use.

In the late 1970's, there was a large demand for sports facilities which fuelled the growth in artificial alternatives. Difficulties maintaining natural turf and a shortage of available space (especially for inner cities) further amplified the demand. Many approaches were made in the search for an appropriate substitute for grass which could sustain a high level of use, required little maintenance, and yet still provided a suitable surface that offered desirable playing characteristics. The one technical development that has had the greatest impact was the use of plastics and rubber surfacing systems.

The first installation of an artificial grass pitch (AGP) is accredited to the Monsanto Company in the USA; it was designed and constructed with sponsorship from the Ford Foundation at Moses Brown School, Providence, Rhode Island in 1964. The first mainstream installation was at the 'Astrodome' in Houston, Texas, in 1966. Artificial grass was considered because natural grass would not grow indoors under artificial lighting and survive heavy usage. With the success and versatility of this system, it soon became prevalent in the USA for both indoor and outdoor use. The first AGP in Britain was installed in 1971 as a non-commercial football facility for Islington Borough Council, London. An AGP was considered because of the durability/cost ratio and the limited availability of land. After this installation, the introduction of AGP's became widespread in the UK.

During the 1980's, a more scientific approach led to definitions of the mechanical properties for individual sports that could be verified by laboratory and on-site testing. Today there are a wide range of 'standards' that can be used to design and test the actual playing qualities of sports surfaces through their life span. Such standards are being increasingly integrated into the 'rules of play' and the safety issues for the majority of outdoor sports. See later Section 3.

The technological advances in artificial grass in recent years has led to a general acceptance of the surface for training and increasingly for competition. Hockey was the first sport to adopt the surface for competition play and the FIH was the first International Sports Governing Body to publish performance standards for artificial grass pitches which has now become the accepted standard. Football initially viewed the surface as mainly suitable for training due to disparity in the playing characteristic when compared to natural turf. However, the situation has changed with the introduction of the latest 'third generation' (3G) artificial grass surface and recent work on performance standards. The use of '3G' pitches is allowed in all FA competitions (FA & FA Youth Cup to the first round proper) and some league matches. The FA have published guidance documents entitled 'The FA Guide to Artificial Grass Pitches' (Third Edition) in 2010, the '*Third Generation Football Turf Guidance - Information for Players, Referees, Clubs, Leagues and Groundstaff*' and '*The FA Guide to 3g Football Turf Pitch Design Principles and Layouts*' in 2012 all of which are available on line.

There has been significant growth in interest in mini soccer, 9 v 9 and small-sided football and a high demand for five-a-side pitches in both school and community recreation sites. Similarly, the growth in female football participation has a major implication for new pitch provision.

A similar situation can be seen in rugby with a performance specification now being agreed by the sports governing body subject to a selection procedure that ensures that key safety characteristics are verified⁵.

It should be noted that separate and different performance specifications have now been agreed for hockey, football and rugby. For high level specialist facilities, there are testing and licensing requirements set out by the sports governing bodies to ensure safety, but there are potential issues in a multi sports context that need to be considered to ensure that the correct surface is selected. See later Section 3.

Artificial surfaces are widely used for cricket practice and match wickets and the *England and Wales Cricket Board* (ECB) have published a performance standard and associated documents for non-turf cricket pitches covering construction and performance requirements⁶. The ECB publish a list of approved 'non-turf pitch' systems and suppliers.

⁵ http://www.irb.com/mm/document/lawsregs/D/regulation22080611_6080.pdf

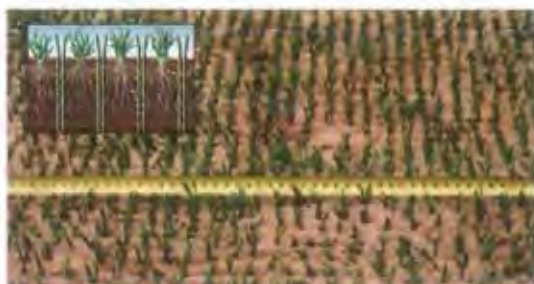
⁶ <http://www.ecb.co.uk/development/facilities-funding/facilities-guidance-and-project-development/ts6-performance-standards-for-non-turf-cricket-pitches.1574.BP.html>



Similarly, artificial surfaces are widely used for flat green bowls and *World Bowls* have published a performance standard describing the construction and performance requirements for flat green bowls surfaces ⁷.



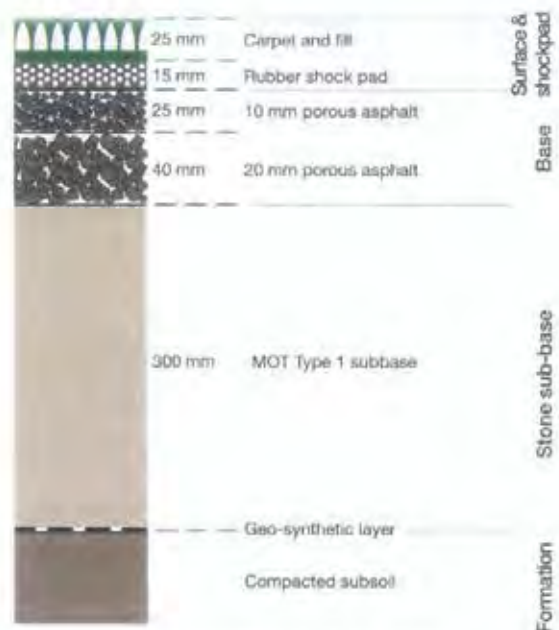
The distinction between 'natural' and 'artificial' grass pitch construction has become blurred due to the development of artificial grass 'reinforcing' systems. These consist of polymeric fibres or ribbons that are 'planted' at regular spacings into a natural grass pitch or blended into the soil forming the rootzone to give improved durability and withstand more intensive use. Polymeric fibres are also blended with sand to form artificial equestrian surfaces.



Typical construction

An artificial surfacing system is generally made up from a number of layers (top down):

- Surface layer e.g. carpet, polymeric material
- Shock absorbing layer often termed shockpad
- A stable and carefully regulated base layer on which the synthetic surfacing is supported e.g.
 - Porous macadam - a hot-rolled blend of aggregate and stiff bitumen binder
 - Compacted sand
 - Specialised mineral particulate materials
 - In-situ formed concrete (occasionally used for bowling green and cricket wicket bases)
- Crushed broken stone sub-base layer - normally a compacted graded aggregate
- Geo-synthetic layer (to prevent the migration of particles between layers)
- Consolidated subsoil (or compacted fill), often the natural soil found on site or a 'stabilised' formation. Drainage is normally installed within the subsoil.



Typical build-up for an artificial surfacing system

⁷ <http://www.worldbowlsfd.co.uk/artificialsurfaces.html>

Variations on these designs are not uncommon and they will differ between sports. For example, a shockpad may not always be used or needed and in some instances the porous macadam will be the surfacing layer or a stiffened in-situ formed shockpad may serve as a combined macadam / shockpad system (known as an e/layer).



Separate artificial grass performance specifications are now available for hockey, football and rugby

See Section 3.0 for more details.

Active Design principles

*Active Design*⁸ provides easy-to-use guidance and information to town planners, architects and urban designers on how to put sport and opportunities to get active at the heart of new housing and community developments, both public and private.



For many sports, artificial grass is increasingly seen as the standard surface for training



Polymeric surfaces can be found both in high level competition venues and in local school sites

The key principles are:

- **Accessibility**

Improving accessibility refers to the provision of easy, safe and convenient access to a choice of opportunities for participating in sport, active travel and physical activity for the whole community.

- **Amenity**

Enhancing amenity involves the promotion of environmental quality in the design and layout of new sports and recreational facilities, the links to them and their relationship to other development and the wider public realm.

- **Awareness**

Increasing awareness highlights the need for increased prominence and legibility of sports and recreation facilities and opportunities for exercise through the layout of the development.



Shared community use of a school facility that is conveniently located in a prominent part of a school development

⁸ See 'Active Design' download available from the Sport England web site.

See the Football Association's publication 'Football Facilities in Schools' for technical advice and sample designs.

www.thefa.com/GetIntoFootball/-/media/B11502B66FF043EB90281494EA6759B2.ashx/FA%20BSF%20document.pdf



Artificial play facility as an integrated part of a general amenity space



Imaginative design adding to the awareness of physical activity spaces

Full sized pitches orientated in north / south sector to avoid glare problems from low level winter sun

All weather pitch located to avoid conflicts with adjoining residential areas

Prominent location of all weather pitch to increase awareness and encourage shared community use



Car parking and changing accommodation to support the community use of the sport facilities

Imaginative sporting elements integrated into the general school realm

Appropriate management arrangements integrated into the design

Key:

- 1 Pitches
- 2 Games Courts
- 3 Soft informal and social
- 4 Hard informal and social
- 5 Habitat

Remaining area is 'Buildings and Access Area'

The principles of *Active Design* applied to a typical school site

<http://www.activeplaces.com/>

2.0 Key issues

Preparing the brief

Critical to the success of any sports facility is an assessment of the likely use of the facility and the ability of a particular location to meet the strategic and local sports needs. It must be determined which sports the facility will provide for, the standards of playing performance needed, and the priorities for usage between them. The choice of sports and the feasible balance between them may also depend on the different levels of income generation that are possible. The initial planning stage should also include a thorough assessment of the proposed management and operation of the new facility. It is vitally important that all stakeholders are made aware of the proposed design and layout of the facility before the planning application is submitted, to avoid costly errors.

No one surface or court configuration will be ideal for every combination of use and it is important to

Critical consideration should be given to:

- **The priority sports / activities**
- **Levels of play**
- **The size and pitch / court marking**
- **The site and surrounding areas**
- **The intensity of use**
- **The sports performance and playability characteristics required**
- **The potential income and expenditure**
- **The management and maintenance regime**
- **Establishing a sinking fund for future replacement of the surface**
- **Funding body requirements**
- **Business plan**
- **The FA require annual testing for all FA competitions.**

understand all the safety implications and where compromise might or might not be acceptable. See Section 3.0.

Sports performance standards

BS EN 15330 'Surfaces for Sports Areas' lays down the basic requirements for artificial grass and needle punched surfaces for a variety of sports and many sports governing bodies have identified key performance criteria for their sport which are designed to ensure that the surface does not inadvertently affect the way the game is played and ensures safety criteria are met. These requirements are based on the behaviour of 'good quality' natural or equivalent surfaces and relate to the way the ball and player interact with the surface. In particular the height the ball bounces, the distance it rolls and the hardness of the surfaces are evaluated.

If the surface is to be used for top-level competition, some governing bodies will need it to be tested on a regular basis to ensure it continues to meet their performance requirements. The FA require annual testing for competition facilities and some football leagues also insist on annual testing. Surfaces that are not used at the highest level of competition do not require the same frequency of testing but should be checked on a regular basis to ensure they are still acceptable for the sport.

If the surface is used for multi-sport then reference can be made to the European standards (which incorporate the British Standards). These standards are referred to in Table 1 on page 19.

Reference should be made, as appropriate, to other relevant sources of information, including:

- Other technical standards such as Construction Codes of Practice⁹
- Technical requirements of funding bodies
- Technical requirements of the individual National Governing Bodies (NGBs).

Consultation

Early consultation is essential with the sports sector (e.g. sports clubs, stakeholder groups) and the surrounding catchment to understand the demand for community use and local views. The current provision on the proposed site should be compared with what is being planned for the future. This should include the likely usage in terms of days / hours and how this could be managed in the light of the community consultation. The potential sports

⁹ See Sports and Play Constructors' Association <http://www.sapca.org.uk/>

Consultation with the potential users to ensure an attractive design that:

- **Meets needs**
- **Encourages 'ownership'**
- **Is fun to use.**

Avoid the perception that the facility is unsafe or dominated by a single group or sport.

activities for the site should be considered against the proposed specifications to ensure they are fit for purpose and truly multi use.

Identify where uncertainty might exist about precise needs for the facility and how flexibility might be increased by selecting a surface that can accommodate a range of sports/activities.

Consider also if the design ensures accessibility to all users and whether the changing/storage facilities are appropriate.

Sporting outcomes should be integral to the initial design brief and reviewed throughout the:

- **Design**
- **Construction**
- **Operational phases of the scheme.**

Planning risk

The potential difficulties of obtaining planning consent should also be considered such as the conformity with local planning policy for 'open spaces' and the sensitivity of the site to the inclusion of floodlighting, particularly where income from use of the facility in the evening is fundamental to the success of the business plan.

See later Section 4.0 and separate 'Artificial Sports Lighting' Design Guidance Note available from the Sport England web site.

Site investigations

The cost of a new facility can be greatly influenced by site conditions and might be significantly higher for engineering on a difficult site. In some cases, site conditions can render an otherwise attractive project to be financially unviable.

A designer has to consider the following factors:

- Topography
- Access
- Site drainage
- Electrical supply
- Water supply
- Trees
- Underlying soil conditions
- Biodiversity issues.

Before starting detailed design, the designer will require as much information as possible about the site and its surroundings. Allowing sufficient resources for a thorough initial information gathering exercise greatly reduces the risk of unforeseen problems (and increased costs) during construction and after completion. It is strongly recommended that this information be obtained at an early stage of the design process and be made available to all contractors tendering for the construction of the facilities.

Undertake early detailed site surveys and ground investigations to reduce project risks.

Understanding the ground conditions is vital, as the greatest risk of unforeseen problems and additional cost usually lies in the ground. Gathering information is only the first step and may need to be followed by fieldwork and laboratory testing. The most important element in ground investigation is to confirm the type of underlying soil or rock. This is done using either boreholes or trial pits to allow close examination of each layer to provide a detailed engineering description in accordance with *BS 5930: Code of Practice for Site Investigations*. This is required across the entire development site to establish any variations.

If the proposed site is a sloping one, it may be necessary to level it, in which case the investigation should include an assessment of the soils that will be nearer the surface at the new, reduced level.

The excavated plateau on which the pitch, track or court is to be constructed is termed the 'formation'. On a level site, this might be created by simply scraping away the topsoil. On a sloping site, a level formation is most economically created by a process of 'cut-and-fill' in which soil from the higher part of the site is re-distributed to the lower part. For this operation to be successful, it must be confirmed that the soils that will be encountered can be compacted firmly.

The formation is then compacted, usually by rolling, to provide a firm stable platform on which to build up the layers of the new construction. The stability of the formation is measured in terms of its bearing capacity (its ability to withstand loading without deforming) often expressed as CBR (California Bearing Ratio). It is essential that the employer gets a firm pre-contract undertaking from the contractor that the design of the sports facility (based on existing ground conditions) will ensure long term stability.

Creating a level plateau within a sloping site in this way will create changes between the pitch and its surrounds. If space permits, these differences are most economically dealt with by creating slopes, which can partly be used as spectator vantage areas.

If the space is constrained, expensive retaining structures may be the only way of dealing with the level differences. Abrupt changes of level bring other complications, such as the need for barriers, steps and special disabled access provision, all of which can also add considerably to the cost of the scheme.

If poor ground conditions are encountered on a site, the formation can be 'stabilised' by treating the soils with cement and lime which is rotivated into the site soils. This is a specialist process and can only be attempted following detailed chemical analysis of the site soils which indicates the quantity and ratio of additives required.



Installation of ground stabilisation treatment

The load bearing capacity of a formation can also be increased by overlaying it with purpose made plastic mesh products and/or installing the plastic mesh within the foundation stone layer.



Plastic mesh within stone layer

If floodlighting is to be installed it will be necessary to determine the amount of power required and to establish the capacity of the existing electrical supply on the proposed site. Provision of a new electrical supply onto the site will generate a significant cost and time implication.

Whilst a MUGA, small pitch or a netball or tennis court may appear to only be a simple macadam construction with a synthetic or painted surface, the exacting demands and tolerances of sport mean that they should be built by companies with the relevant and proven construction expertise. Likewise, consultants with specialist expertise should be used for the design, specification and project/construction management of all artificial pitch projects. Appropriate checks should be made on the contractors and designers before selection to ensure they have the necessary experience, financial standing and proven quality of workmanship to undertake the work.



Artificial grass pitch associated with an inner city sports centre

Sizes and layouts should take account of:

- **NGB dimensions**
- **Levels of play**
- **Margins and safety run offs including placement of goal recesses**
- **Performance standards**
- **Location of lighting columns**
- **Access routes to point of entry to court (including wheelchair access).**

Quality assurance

Proper quality assurance procedures should be applied throughout construction; certain components of a synthetic surfacing system will be factory-prefabricated, whilst others may be manufactured in-situ from complex chemical mixtures, the properties of which can be influenced by faulty workmanship, defective materials or adverse weather conditions. It is therefore essential that an experienced and qualified professional is employed to inspect the works during construction to ensure that pitch is being constructed to the correct specification and standards.

Risk of physical injury

Impacts with sports surfaces can lead to a range of potential physical injuries if they are not used or designed correctly. These injuries can be split into acute and chronic; acute injuries occur suddenly during activity and include injuries such as sprains, friction burns and fractures; chronic injuries usually occur as a result of overusing one part of the body over a prolonged period of time. Whilst acute injuries are often more severe than chronic injuries, the causes of both need to be considered when designing a sports surface.

Obviously accidents can happen and no surface will remove all the risks but certain factors should be considered when designing and procuring a sports surface to ensure these risks are reduced. There are many materials used in the construction of sports surfaces and these can be engineered to

reduce risk but also balance them against the playing requirements of the particular sports and standards of the sporting activities. If a surface is designed and specified correctly, it can greatly reduce the potential risks through appropriate levels of friction (between the shoe and surface), surface deflection (how much the surface moves during impact) and force reduction (how hard the surface is) to the activities taking place. Additionally, the manufacturer's recommendations for usage should be closely followed, in particular, the use of appropriate footwear.

The Construction (Design and Management) Regulations 2007 places additional duties on designers to eliminate or reduce hazards and risk during design, and to advise on those risks that remain. The term 'designer' is used broadly and may include a client, contractor and anyone involved in the preparation and modification of a design or giving instructions to others. The composition, construction requirements and the lifecycle implications of sports surfaces needs to be understood. In addition, analysis and discussion of the 'in use' health and safety implications of a product will be required with end users, operators and the client.

Manufacturer's recommendations should be closely followed.

Testing against performance standards

Sports governing bodies set standards that define the playing and safety criteria they consider appropriate for their sports. In addition, there are EN (European) Standards for sports surfaces. Compliance with these standards can be mandatory when competitive matches are to be played. It is therefore important that the level of competition and the relative importance of different uses of a sports area are established during the design of the facility to ensure the playing surface will provide the performance required. Even when no competition regulations apply, compliance with relevant standards is often required in order to ensure the facility is 'fit for purpose' and to show that the site operator is complying with their legal obligations and the requirements of their insurers.

Specific sports standards can be obtained directly from the relevant sports governing body (check their websites) and European Standards can be purchased and downloaded from:

<http://www.bsi-global.com/>.

BS EN 15330 'Surfaces for Sports Areas' is the most relevant for outdoor sports. As the performance of a playing surface will change throughout its life, periodic re-testing should be

undertaken to ensure the facility is still performing to the required standards. Some sports governing bodies give guidance on the frequency of re-testing. Where this is not provided, a frequency of 2-3 years, depending on levels of use, is often recommended.

Management, programming and flexibility

The management of the artificial surface and the way that it will be used on a day-to-day level needs to be considered at an early briefing stage. For example, the arrangement for teams/individuals to make bookings, the degree of security and supervision that will be appropriate, the arrangement for regular cleaning and for periodic maintenance need to be factored in to a business plan for the facility. See the table below for a model to calculate the level of use and maintenance.

Usage	Example hours / year
School use: lessons / games	800
Community use (practice)	200
Community use (full matches)	600
Community use (recreational)	100
Maintenance hours	150

See Section 6.0 - *Operation and Maintenance*¹⁰.

¹⁰ See also 'Maintaining Synthetic Turf: Sand Filled Systems, The Cranfield - IOG Guidelines'

Major Project Stages
Preparation (RIBA Stages 0 & 1)
Review of project brief Establish the relevant Performance Quality Standards (PQS)
Business justification Site investigations Review of site constraints Approximate estimate of costs
Design (RIBA Stages 2 & 3)
Establish a procurement strategy Additional information Concept design Concept and detailed design approvals
Pre-Construction (RIBA Stages 4)
Detailed design information Tender documentation TENDER process Investment decision
Construction (RIBA Stages 5 & 6)
Construction Process Project Completion Testing against Performance Quality Standards (PQS) Establish if pitch is ready to use
Use (RIBA Stage 7)
Aftercare and ongoing maintenance programme Periodic testing against PQSs

Major stages of project development

3.0 The choice of playing surface

Among the most commonly played sports on multi-sports games areas are:

- Tennis
- Mini tennis
- Netball / basketball
- Five-a-side football
- Hockey.

Other sports that might also be played include:

- Uni-hockey
- Rugby union and rugby league
- Lawn bowls
- Cricket
- Tag rugby
- Rounders
- Athletics practice
- Tri-golf
- Roller hockey
- Volleyball
- Lacrosse.

Whilst some sports facilities are built for the sole use of a single sport, many have to cater for a number of activities on the same surface. This will inevitably lead to design compromises as certain types of surface are more suitable to some sports than others. In recognition of this, manufacturers are making great efforts and technological advances to design surfaces that provide a good playing experience for more than one sport.

Table 2 on page 20 identifies the general suitability of main types of playing surface for a range of sports. The standard of competition to be accommodated may also influence the choice of surfacing¹¹.



One of the important issues relating to the choice of surface is the need for some form of shock absorbency (or cushioning), but again, there can be conflicting requirements between the sports. On the one hand, there are clear benefits for participants in protection from injury, but on the other hand too much cushioning of the surface may be detrimental to the performance of certain sports, such as tennis, basketball and netball. Rugby Union and Rugby League are examples of sports where the synthetic surfacing system requires a high degree of shock absorbency to prevent head injury during full contact training sessions and competitive matches.

It is increasingly possible to quantify the playing performance of sports surfaces using a series of standard test methods to measure the different characteristics and a number of NGBs can provide guidance on the individual recommendations for their own sports.



High fencing is commonly installed adjacent to car parks and roads

¹¹ These descriptions are provided as a general guide and are not necessarily the views of individual NGBs.

Classification of surfaces

In the past, multi use games areas (MUGAs) have been classified in a numerical system that can be summarised as:

- **Type 1**

Open textured porous macadam areas used for ball rebound sports where tennis is the priority and sports such as mini-tennis, netball, and basketball are secondary users. These areas are suitable for wheelchair sports although care is needed in warm weather during the first year of use.

- **Type 2**

Open textured porous macadam areas used for ball rebound sports where netball is the priority and sports such as tennis, mini-tennis, and basketball are secondary users. These areas are suitable for wheelchair sports although care is needed in warm weather during the first year of use.

- **Type 3**

Polymeric surface over macadam base areas used for ball rebound sports where netball is the priority and sports such as tennis, mini-tennis, and basketball are secondary users. These areas are suitable for wheelchair sports.

- **Type 4**

Polymeric surface over macadam base areas used for recreational football, basketball and general sports and recreational training and play. Due to their greater shock absorbency and lower surface friction, these areas are not recommended for tennis or netball.

- **Type 5**

Artificial grass areas (MUGAs or AGPs) with a shockpad and either heavily doused with water before play or filled or dressed with sand or rubber crumb. These areas are used for sports such as hockey, five-a-side football, football, lacrosse, American football and training for activities such as athletics, rugby union and rugby league. '3G' artificial grass with long pile and rubber particulate pile filling is less suitable for hockey. Competitive (i.e. full contact) rugby union and rugby league must be played on pitches which have a high degree of shock absorbency as specified by the NGBs of those sports.

Recent rapid development of various combinations of artificial grass surfaces (i.e. type 5) make it more useful to group products under other characteristics such as the pile height of the grass and types of fill. Current terms used within the industry are used in Table 1 on page 19.



Sport	Surface type	Relevant Standards
Recreational football	Macadam	SAPCA Code of Practice for the Construction and Maintenance of Tennis Courts (macadam courts)
	Polymeric	BS EN 14877: Surfaces for Sports Areas – Specification for Synthetic Surfaces (multi-use)
	Needle punch surfacing	BS EN 15330-2: Surfaces for Sports Areas – Specification for synthetic turf and needle punched surfaces: Part 2 Specification for needle punched surfaces (multi-use)
Small sided football	Sand-filled artificial grass	BS EN 15330-1: Surfaces for Sports Areas – Specification for synthetic turf and needle punched surfaces: Part 1 Specification for synthetic turf surfaces (football)
	Long pile artificial grass	BS EN 15330-1: Surfaces for Sports Areas – Specification for synthetic turf and needle punched surfaces: Part 1 Specification for synthetic turf surfaces (football)
Rugby	Long pile artificial grass	BS EN 15330-1: Surfaces for Sports Areas – Specification for synthetic turf and needle punched surfaces: Part 1 Specification for synthetic turf surfaces (Rugby Union), or IRB Regulation 22 for Rugby
Football (mini, 9v9, small sided and full size pitches)	Long pile artificial grass	BS EN 15330-1: Surfaces for Sports Areas – Specification for synthetic turf and needle punched surfaces: Part 1 Specification for synthetic turf surfaces (football), or FIFA Quality Concept for Football Turf – FIFA One Star Category or International Artificial Turf Standard (IATS)
Hockey and hockey training	Macadam	SAPCA Code of Practice for the Construction and Maintenance of Tennis Courts (macadam courts)
	Polymeric	BS EN 14877: Surfaces for Sports Areas – Specification for Synthetic Surfaces (multi-use)
	Non-filled artificial grass	FIH Handbook of Performance Requirements for Synthetic Turf Pitches BS EN 15330-1: Surfaces for Sports Areas – Specification for synthetic turf and needle punched surfaces: Part 1 Specification for synthetic turf surfaces (football)
	Sand-filled artificial grass	FIH Handbook of Performance Requirements for Synthetic Turf Pitches BS EN 15330-1: Surfaces for Sports Areas – Specification for synthetic turf and needle punched surfaces: Part 1 Specification for synthetic turf surfaces (hockey)
	Needle punch surfacing	BS EN 15330-2: Surfaces for Sports Areas – Specification for synthetic turf and needle punched surfaces: Part 2 Specification for needle punched surfaces (multi-use)
	Long pile artificial grass	BS EN 15330-1: Surfaces for Sports Areas – Specification for synthetic turf and needle punched surfaces: Part 1 Specification for synthetic turf surfaces (hockey) ¹²

Table 1: Types of sports surface and applicable standards – text in red identifies compliance with the standard is also a competition rule of a sports governing body. Also see 'The SAPCA Code of Practice for the Construction and Maintenance of Synthetic Turf Sports Pitches'

¹² See England Hockey web site for up-to-date advice on the certification of long pile / 3G pitches.
www.englishockey.co.uk/page.asp?section=75§ionTitle=Facilities

The range of construction techniques

The range of construction techniques that can be used for artificial pitches are briefly described below. See SAPCA – Codes of Practice for more details.

Macadam

Macadam surfaces may take the form of dense or porous macadam. Whilst the former may provide a more durable surface and is typically laid on school playgrounds it usually provides limited benefits for sports use.

Porous macadam is used on around 80% of all tennis courts in the UK and can be played on in most weather conditions all year round. Most netball courts are also of porous macadam.

Porous macadam courts may be colour coated to improve aesthetics and the playing environment. This is achieved by either using pigmented materials to form the macadam or by painting the un-pigmented surface after installation. Although the use of pigmented macadam may be initially higher, the increased durability of the colour may make it more suitable for areas of high use.

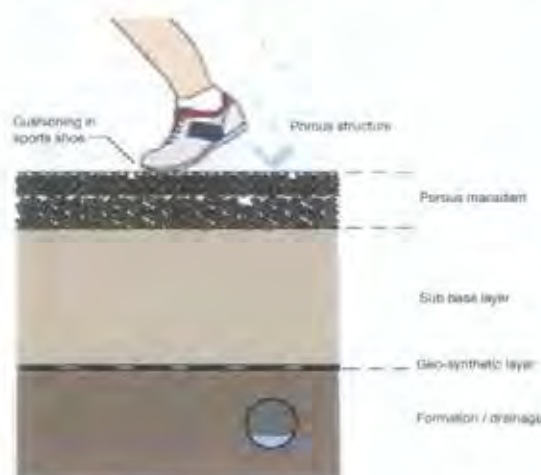
The slip resistance of the colour coating is important and requirements for this will vary for tennis and netball¹³.



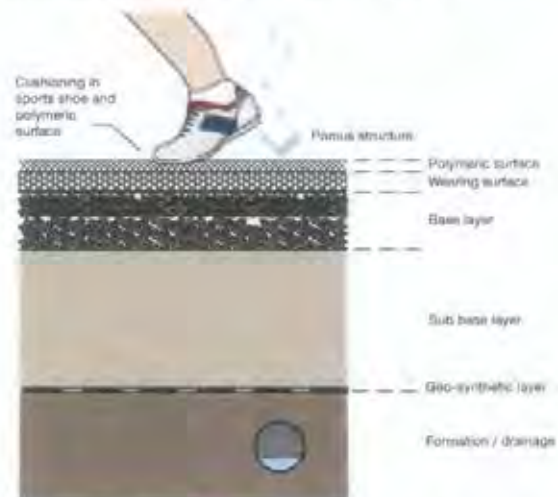
Resurfaced porous macadam track

Polymeric Surface

Polymeric surfaces have a degree of inherent shock absorption, which may be varied by increasing the thickness of the surfacing layer or altering the composition of the polymeric materials. To provide the high degree of slip resistance required by sports such as netball, a specially modified final coating can be applied although the use of this surface for ball contact sports will cause a rapid reduction in its slip resistance. It is for this reason that combining sports such as five-a-side football and netball is not recommended.



Sectional diagram of macadam construction



Sectional diagram of polymeric construction

Thicker forms of the surface may be specified where the intended sports include five-a-side football or athletics training. This type of polymeric is also capable (in some situations) of withstanding running shoe spikes.

¹³ A guide to the design, specification and construction of multi use games areas (MUGA's) published by Sport England in conjunction with SAPCA.

Types of artificial grass surface

There are many different types of artificial grass construction with a range of properties, and advantages and disadvantages. Variables include the polymer used for the fibre yarn, the cross-sectional shape and area of the individual ribbons of fibre, the method of carpet manufacture, the pile height and pile density.

Two principal designs are offered for multi-sports areas, those with a vertical pile of tufted, woven or knitted construction that is supported with a sand/rubber/other filling or dressing and those with an interlocking pile of needle-punch construction that are also filled or dressed with sand or other material.

The majority of artificial grass pitches in the past have been surfaced with tufted sand filled carpets. Experience has shown this form of carpet to have good durability and performance when used in the extreme wear conditions experienced on MUGAs.

Sand-dressed carpets are a more recent innovation. They have a shorter, denser pile than the sand filled systems with a much lower quantity of sand in the base of the pile and are primarily suited for MUGAs where hockey is the primary sport.



Sand-filled pitch with 23 mm pile onto a 15 mm shock pad for hockey and for football training

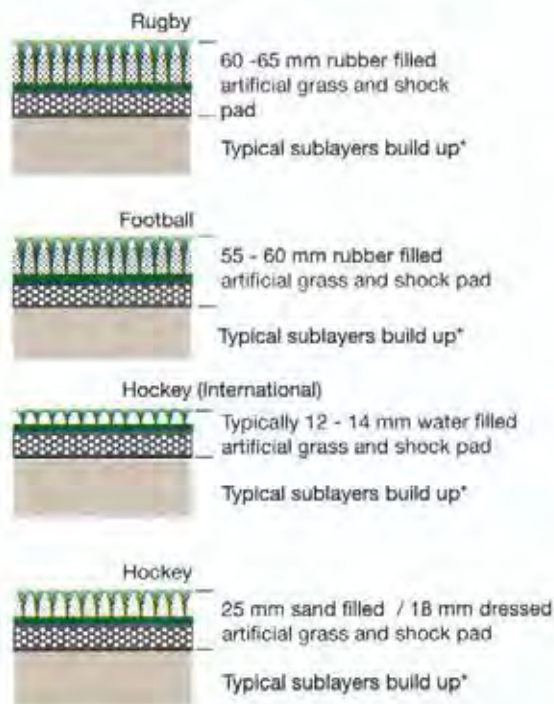
Needle-punched carpets offer benefits of increased sand stability within the pile and higher drainage characteristics.

A more recent innovation are a number of so called '3G' (third generation) or 'long pile' products with



Resurfaced pitch with 60 mm 3G long pile onto a 15 mm shock pad for football and for rugby training

generally a longer pile and various combinations of rubber crumb, or sand and rubber fillings. These are mainly suited towards football and rugby.



Artificial grass surface construction

* Typical sublayer build up comprising 65 mm porous macadam base / 300 mm stone subbase / geo-synthetic layer and formation as per diagram on page 9. To be read with Tables 2 and 3.

Artificial clay tennis courts that consist of artificial grass with a coloured mineral infill are becoming popular. Some systems require no watering and the maintenance is much less demanding than natural clay surfaces.

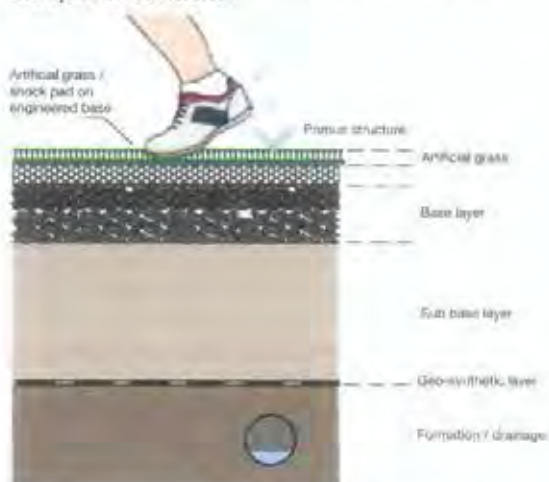


Artificial clay tennis courts

Shockpads

A shockpad is a resilient layer introduced between the base and the playing surface. The shockpad is used to provide increased comfort to players and to create defined playing characteristics for specific sports. The shockpad also helps to retain the performance characteristics. The most common components are rubber crumb/shred mixed with a resin binder, either manufactured as prefabricated rolls or mixed and laid in-situ.

Shockpads constructed in-situ vary in thickness from 15 mm to 35 mm depending on the performance required and consist of a polyurethane binder mixed with rubber crumb / shred, installed as a cold mix through a special paving machine. The thicker pads may also contain pea gravel or other smaller aggregates and are often referred to as 'E-Layers' which are installed directly onto a stone base. The rough texture of the shockpad helps grip the back of the artificial grass carpet, minimising the risk of carpet creep or movement.



Sectional diagram of artificial grass with shockpad construction

Pre-fabricated rubber pads come in two basic types: 'flat' or 'dimpled'. The type and thickness chosen will be dictated by the priority sport, although several different options may be able to provide a surface that complies with the requirements in terms of playing characteristics. Dimple pads have a flat upper surface, with a regularly spaced pattern of undulations on the lower surface to form a rounded 'egg box' type structure. Rolls are usually 1.25 m in width. Lengths vary depending on thickness, but are normally between 25 m and 35 m.

Rolls of prefabricated shockpad may be laid perpendicular or parallel to the subsequent rolls of artificial grass carpet. Whichever arrangement is

used, it is important that all rolls should be laid straight and true with the minimum of distortion. Head joints should be staggered by at least 1.0 m. Prior to head jointing, each roll should be allowed to reach its optimum length before trimming. No joints should have a variance in height greater than 2 mm.

Several other forms of proprietary shockpad are marketed and installed by contractors in the UK. These include fibre pads, pads of closed-cell foam (flexible as rolls or rigid as panels); pads which are an integral part of the carpet system; composite pads, etc. Each has properties that the manufacturer must confirm and demonstrate (by independent test report) before a choice of synthetic surfacing system is made.

Experience has shown that the intensity of use of a MUGA can initiate carpet movement when a smooth surfaced shockpad is used. If this form of shockpad is selected the combination of carpet and shockpad needs to provide adequate protection against carpet creep, this may involve ribbon bonding (not total bonding which will impair porosity), perimeter anchoring or other means of perimeter carpet retention.

**Choose the surface
that best suits the
priority sport(s).**



4.0 Site planning principles

Site considerations and location

The location of an artificial pitch should be sympathetic to its surroundings and any adjacent infrastructure and early guidance should be sought from the Local Planning Authority, particularly if the pitch is to be floodlit. In such cases it is essential to consider the ambient night time lighting levels and the light spillage contours for various floodlighting schemes before fixing the distances to the boundary and surrounding roadways or buildings. Landscaping and mounding can be used to obviate noise breakout and floodlight spillage. See separate Guidance Note 'Artificial Sports Lighting' for detailed design considerations to prevent light pollution and nuisance.

The Local Authority should also be consulted on whether the drainage system needs particular features to create a 'Sustainable Urban Drainage Systems' (SUDS) that controls the flow of water to a drainage outlet. This may have a significant impact on the overall design and cost of the project. See Section 4.0.

The location of the facility must not create traffic problems and adequate access roads and car parking should be provided. Typically, one car per three players can be used to assess traffic impact. This figure can be doubled in situations where the changeover between matches is not staggered.

Choose an accessible site location that limits noise and floodlight pollution problems for occupants of adjacent properties.

Good locations for MUGAs and AGPs include:

- Those close to car parks and support facilities (especially where constantly supervised)
 - Those where there are good sound absorbing / spectator terracing and banking possibilities e.g. the facility sits in a natural amphitheatre where it is possible to view activities (even remotely using CCTV) from a high level and where the facility will be sheltered by the surrounding terrain
 - Those where there is good access to the facility for people with disabilities.
- Avoid locating MUGAs or AGPs:
- Where steep gradients lead to and away from the area, especially at personnel and maintenance vehicle access points.
 - Where access for people with disabilities will be difficult.
 - Where the facility is remote from support facilities such as changing accommodation
 - In very exposed terrain - where needs dictate, it is advisable to install a shelter belt of evergreen trees especially to the NE, N and NW geographical aspects of a facility
 - Where it is not possible for access roads / footpaths and maintenance routes to reach the main personnel / maintenance gates
 - Where incoming services (electricity feed cables and water / drainage) will be prohibitively expensive to install
 - Where too many site perimeter and internal security / access gates have to be passed, meaning gates keep having to be locked and unlocked
 - Where it is not possible for a facility supervisor to monitor personnel, vehicular and cycle movements (especially on access routes and in relation to changing rooms, parked cars etc)
 - Where emergency vehicles cannot readily get to the facility
 - Where users have to traverse naturally turfed areas. Mud, debris and contaminants all lead to the rapid deterioration of an artificial playing surface
 - Close to unstable ground (landslides) or drainage outfalls (back falling or ponding on the MUGA due to blocked drains)
 - Close to deciduous (leaf drop in autumn) or leaf sap forming trees
 - Close to non-sporting area where there may be a conflict with other users.

Infrastructure

The location should ensure the MUGA is readily accessible, ideally located to the front and/or side of a management facility or site. If this is not possible, good supervision and amenity/security lighting and pedestrian, vehicular and cycle routes should be required.

The access road system needs to be wide enough to be used by visitors, maintenance and emergency vehicles (including equipment attached to a tow bar or on the back of a trailer) and have appropriate hammer heads or turning circle. The surrounding landscape should be attractive and footpaths should be well lit and wide enough to ensure wheelchair users can access the facility. See separate Sport England Design Guidance Note 'Accessible Sports Facilities' for details.

Design for full accessibility with well lit, paved access to outward opening gates contained in the fence line.

See 'Accessible Sports Facilities' Design Guidance Note available from the Sport England website.

Amenity / security lighting installations should be installed along access routes to help alleviate any severe contrast of lighting conditions when a user comes away from a floodlit facility.

To ensure safe egress from the floodlit area, arrangements should be made to retain a small part of the main lighting in operation for a limited period. This will usually be just prior to the curfew time, if one is imposed by the planning approval.

For anything greater than a one-court size of MUGA (and to a degree, needs should even be assessed for these), access to support facilities and changing provision is essential.

When sand filled or sand dressed or 3G (third generation) surfaces are used, it is advisable to install at all ingress / egress points drained catchment pits and gratings, complete with barrier matting. Certain designs of catchment pits and grilles will also double as animal deterrents, especially if pits are wide enough to prevent them being jumped over and if gates are self-closing.

Where there is a high level of team changeover throughout the day, the designation of a small court recreation / warm-up / practice area may be beneficial. This may be surfaced using a more cost effective surface if budgets are limited but matching the exact AGP surface is preferable where higher standards of competitive play are envisaged.

Experience suggests that taking the artificial grass carpet up to the fence line on an AGP is desirable as a macadam border can become dangerously slippery when sand or rubber particulates from the carpet infill migrate onto it. Carpeting the whole area in multi-sport situations, where cross pitch sub lettings and casual play lettings are envisaged, also allows the soccer goalmouths to be positioned outside the side lines of a hockey pitch. This will prevent excessive wear to the wings of the hockey pitch reducing the possibility of patch repairs that can prove hazardous.

Design references:

Sport England Guidance:

- **Pavilions and Clubhouses Design Guidance Note available from their website.**

FA Technical Guidance:

- **Ancillary Works**
- **Changing Facilities**
- **Artificial Grass Pitches.**

www.footballfoundation.org.uk/external-links/
www.thefa.com/GetIntoFootball/Facilities.aspx

Trees

Trees adjacent to a site may have the advantage of providing privacy, shelter or screening from a low sun. Their roots, however, can be a threat to the facility itself, by penetrating the stone sub-base and distorting or cracking the surface. This is especially the case for strong-rooted varieties such as poplar, willow and sycamore. Where such a threat exists, preventative action will be necessary, such as tree surgery or the construction of a root trench to inhibit the growth of roots onto the site. This is usually done by digging a trench, cutting any roots in the process and removing them as far as possible to a depth of 1.0 m. The wall of the

trench is then lined with suitable material, such as concrete or thick polyethylene barrier grade sheet, before backfilling.

It should be noted that whilst such measures will inhibit root incursion, the only certain preventative measure is repositioning the pitch. Generally, pitches should be no closer to trees than a distance equivalent at least to the potential height of the tree and its potential canopy width. If there are no alternative sites for the pitch, construction can take place above tree roots by using special 'cellular web' sheeting which is placed onto the soil, pinned in place and filled with stone ('non-dig' construction). Tree officers recognise this technology and there are specialist companies who will prepare a design if they are provided with a tree report and geotechnical report of the site.



Example of 'cellular web' tree root protection system

In addition, branches that overhang artificial pitches are a cause of various problems, such as the continuous dripping of water and leaf sap, insect secretions and bird droppings. These can result in damage to the playing surface and impaired porosity. It is recommended that overhanging branches be pruned back or, if possible, the facility re-sited.

Cutting tree roots may de-stabilise a tree or kill it and it is strongly recommended that the advice of an Arboriculturist and/or Local Authority Tree Officer is sought before carrying out tree surgery. Some trees are also protected by preservation orders and significant fines will be imposed if they are cut without prior permission. The document '*BS 5837:2005 Trees in Relation to Construction Recommendations*' provides specific advice and guidance.



Flood plains and areas at risk of flooding

Many sports facilities including pitches and athletics tracks are constructed in flood plains and areas at risk of flooding. If a sports facility is to be constructed within a flood plain or flood risk area, the local planning authority and the environment agency will almost certainly impose stringent design criteria at planning stage. The raising of ground levels in a flood plain is generally not allowed and finished levels will have to be approved before works commence. The type of fencing used can also be a planning issue as it must allow the free passage of water across the facility and planning approval may have to be sought for the type of fencing to be used. Hockey ball rebound boards may not be allowed at the base of the fence or they may be allowed provided there is a specified gap beneath them. Requirements can vary.

If a sports facility is subject to flooding, the surface will have to be cleaned and sanitised once flood waters subside. Flooding can sometimes cause artificial grass carpets to lift and carpet infill to wash away in which case total replacement may be necessary. Flooding can silt up drainage systems and CCTV surveys and jetting of drainage systems may be required.



Contamination of the infill after flooding. The pitch had to be cleaned and sanitised

During the planning process, the applicant will be asked whether the proposed site is in a flood zone and this information can be accessed on the environment agency web site or by contacting them directly. The applicant should be prepared to engage a professional to produce a flood risk assessment (FRA) in cases where the proposed site is in a flood zone.

5.0 Detailed design considerations

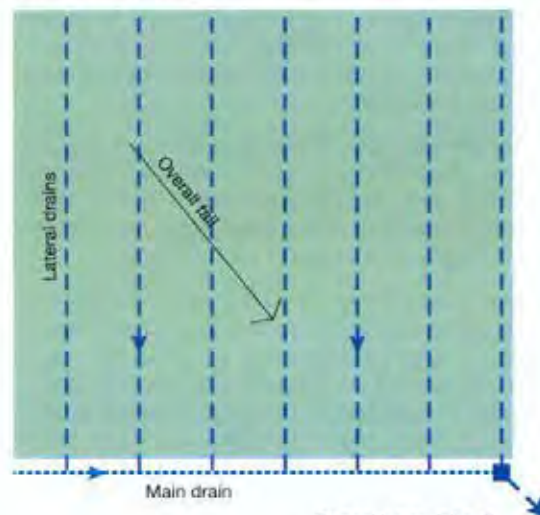
Drainage

The MUGA/AGP should have a suitable drainage scheme that will:

- Ensure that all surface water is removed from the pitch at a rate which will avoid surface flooding
- Avoid a reduction in the load-bearing capacity of the formation layers or frost damage to the construction
- Protect the installation from the effects of ground or surface water from the surrounding areas
- Comply with the Local Authorities requirements for compliance with Sustainable Urban Drainage (SUDS) design principles.

One area where MUGAs and AGPs differ is in the design of the drainage system. Due to the relatively small dimensions of most MUGAs, they do not have any form of sub-court drainage other than a perimeter drain that is laid around one or more sides of the facility. In contrast, most AGPs

incorporate lateral drains beneath the pitch, the centres of which are determined by the composition of the subsoil and the designed infiltration rate, but usually range from 5 m to 15 m. The ends of lateral



To positive outfall and storage system that might be required for a sustainable drainage system (SUDS)

Typical drainage approach where the overall slope of the pitch assists the drainage system.



drains should be capped to prevent contamination and connectors should be used to join lateral drains to collector drains. Collector drains are normally located on the outside of the perimeter edging.

Interceptor drains (which may act as collector drains) should be installed at the toe of any embankments to prevent run-off from surrounding areas onto the pitch.

Silt/inspection chambers should be installed where perimeter/collection drains change direction, and the provision of rodding eyes should be included at the head of collector drain runs for ease of access for maintenance.

In most cases there will be a requirement by the Local Planning Authority or the Environment Agency for the drainage to be designed as a Sustainable Urban Drainage Systems (SUDS). This will control and limit the flow from the site and can be very expensive in terms of capital and maintenance costs. It is essential that the system is designed by properly qualified and experienced consultants.

Base and sub-base construction

The base for a MUGA is normally a porous engineered construction consisting of two courses of open-textured bituminous macadam laid above a graded stone 'sub-base' foundation. This form of construction has gained acceptance due to its ability to offer the greatest possible level of stability to the final surface, resisting frost heave and spreading surface loading. These factors all mean that it is simpler to replace or upgrade the surface of the MUGA when the need arises.

The base to any MUGA/AGP should be designed to meet the following criteria:

- It should be capable of supporting – and transmitting to the existing ground – the loads of all vehicles, plant, machines and materials to be used in the construction, without causing deformation of the site.
- After the pitch is built, the stone sub-base should be capable of supporting and transmitting all loads on the playing surface without permanent or long-term deformation of the playing surface. Such loads arise mainly from players and maintenance equipment.
- It should ensure that water, whether rainwater or natural ground water, will drain away freely through the stone sub-base material and into the formation and/or drainage system.

The stone and macadam base should be constructed using hard, clean, free draining, crushed frost-resistant aggregates. In order to prevent contamination from the formation, it is often necessary to install a geotextile membrane on the formation prior to installation of the compacted stone sub-base.

The macadam upper layers of the base should be of a carefully graded, open textured construction and not the standard 'car-park' type mix, prevalent in school playgrounds.

Playing lines

One of the obvious limitations of a MUGA is the possible difficulty for players in identifying the relevant play lines, where there are many overlapping sets of lines on the same surface. For this reason it is unwise to include lines just for the sake of completeness, if the sport is not likely to be played very often. The problem is usually more pronounced for sports such as tennis, where it is very important that the lines should be quickly and clearly seen by the players.



Acrylic tennis court surfaces painted on a macadam base

Playing lines can be painted on to most surfaces, but with synthetic grass they are usually either tufted in during manufacture or cut in when installing the surface. The choice of colours is also important, and advice should be taken on the most suitable combinations of colours for the sports to be included. As a rule of thumb, the most frequently used sport should be marked out in white, the second most played sport in yellow, followed by blue, and red. However, the FA have decided that blue lines will be used for 9v9 football (refer to the *FA 3g Guide 2012*).

**Take playing surface
right up to fence lines.**



A 3G rugby pitch with carpet extending right up to the fence

Initial settling down period for surfaces

Most playing surfaces require some degree of extra care when used during the immediate post-construction phase. It is important for purchasers to be fully informed as to when the playing surface may be first used and any precautions that may be necessary until the surface has fully settled in. This is particularly important in the case of bitumen-bound surfaces, which may be subject to some softening during hot weather and the use of wheelchairs during the first year of use need very careful monitoring.

Corrective / remedial action to surfaces

Some surfaces, most notably macadam, are extremely difficult to repair imperceptibly. A degree of latitude should therefore be applied when assessing minor areas of non-compliance for their effect on performance and suitability for purpose, and the appropriate extent of any remedial action.

Where remedial works are required, the repaired surface should match adjoining areas in colour, texture, levels and, except where invisible mending can be achieved (e.g. some synthetic grass surfaces), should be replaced to the nearest play lines or construction joints. Joints should be neat, straight and unobtrusive.

Equipment

There is a wide range of nets, posts, goals, division netting and rebound boards to choose from. Consideration must be given to the precise use of each facility, so that the change of usage from one sport to another can take place with the minimum of effort and inconvenience.

Nets, posts and goals can be free-standing and therefore easily moved, although it is important to make proper provision for their storage when not required from the point of view of both safety and

security. It is vital that great care should be taken to ensure the safe anchorage of all freestanding equipment.

- Football goals (full size) should comply with *BS EN 748:2004*
- Small-sided football metal goals should comply with *PAS 36-1*
- Youth football, futsal, mini-soccer and small-sided football goals should comply with *BS 8461:2005 + A1:2009, BS 8462:2005 + A2:2012 and BS 8461*
- Handball goals should comply with *BS EN 749*
- Hockey goals should comply with *BS EN 750*
- Netball goal posts should be supplied with protective post pads and comply with AENA requirements
- Tennis posts and nets should comply with *BS EN 1510*

Always insist that a Certificate of Conformity from an independent test laboratory is supplied with each item of sports equipment purchased.

Recessed sockets in the playing surface are quite usual for surfaces such as macadam and polymeric, though less practical for sand-filled synthetic grass. Also available are proprietary sports equipment systems which offer high quality bespoke solutions, such as integrated surround fencing and a variety of goal units. Especially preferable are recessed goals for five-a-side football, in order that the goals should be flush with the rebound boards or walls.



Recess for portable soccer goals

In situations where site constraints prevent goal recesses being constructed, 'folding' or 'swing out' goals are available.



'Swing out' soccer goals

Ensure the safe anchorage of all items of equipment such as goal posts.

Cricket practice cages (permanent and wheelaway)

Guidance on cricket practice cages is available on the ECB web site. The wheelaway cage allows an artificial surfaced 'match pitch' to be used for practice. It is also worth noting that for reasons of safety, cricket practice facilities are sometimes enclosed within surround fencing incorporating a roof net.



'Permanent' cricket nets



'Wheelaway' cricket nets

Equipment storage

Mainstay portable sports equipment can be stored outdoors - it is designed to be exposed to the elements.

Specialist non-personal equipment e.g. training cones, goals netting etc. are best kept in a secure facility or vandal resistant storage container close to the MUGA.

On facilities where football and its derivatives are likely to be played, it is sensible to build into the perimeter fence suitably sized recesses to accommodate and anchor portable soccer goals. The design should ensure there is sufficient height clearance in the fence goal recess to prevent cranial and thoracic injury - largely caused by someone running towards the goals or keeping goal. The design should ensure it is easy to retrieve balls from the fence recesses and goal itself (goals may not even require netting for certain standards of play). Above all, the ability to securely anchor the frame of the goals to prevent them toppling over is paramount.

If goals are required to stand inside the perimeter fence line during play, it is essential they are returned to storage recesses when the full pitch (or portions), are to be used. Beyond the play lines, run offs are provided to ensure users can stop safely, so it is important to ensure that equipment is not stored in them.

The suggested layout for the example AGP shown in Appendix 1 allows for full-size portable football and hockey goals to be relocated into fence design recesses, conveniently positioned behind the goal locations at each end zone of the facility. Such recesses should have secured posts of sufficient height (equivalent to the main perimeter fence height) with a high-level permanent tensioned wire - to allow a netting to be pulled across to containment for seven-a-side football end zone utilisation of the main pitch, when the main pitch goals are retracted into their equipment recesses.

Provide adequate storage for equipment.

Fencing

The choice of surround fencing is usually dictated by the priority sport, site constraints and budget. The two basic functions of surround fencing are to retain balls within the playing area and to allow spectators to view the game safely. In some locations other important considerations may be security and the need to keep out animals. For greater durability, weldmesh cladding is strongly



Twin wire used on a school site



358 mesh used on a school site

preferred, together with rebound boards or perimeter kickboards as appropriate for the sports being played. The ability of fencing to withstand damage from impact by balls can be confirmed by asking for a Certificate of Conformity from an independent test laboratory that the product meets the requirements of *EN 15312:2007 Repeated Impact Resistance to Footballs and Kicks*.

Single gates should be 1.2 m wide. Double gates should be 3.0 m wide with removable lintel panel above for ease of access with soccer goals. All gates should be fully infilled with weldmesh / rebound boards / kick boards as appropriate, and provided with a suitable locking mechanism. All gates should open outwards for the safety of players.

At main access gates, boot cleaning facilities should be provided to prevent contamination of the playing surface with mud and material from outside the playing area.

Consideration should be given to having a bolt hole gate to allow persons backed into a corner in bullying situations to escape from the MUGA - it need only be rebound board wall height, but should have a panic spring latch release lock (operated from inside of MUGA only) with a closing mechanism (spring coil hinge restraint) to return the gate to the shut position.

All gate thresholds should be level or slightly ramped (i.e. not stepped). Gates should also be positioned so as not to create 'tight' gathering or milling points, especially where pitch / games area team changeovers are scheduled. See *SAPCA Code of Practice for the Construction and Maintenance of Fencing Systems*.

Divider netting and screening

Include division netting to divide the pitch into small courts and give maximum programming flexibility.

In order to maximise the use of larger MUGAs and AGPs, good quality division netting should be installed to split the playing area into separate, smaller areas of activity, as required. This type of netting is typically referred to as 'curtain' netting which can be drawn across the pitch on support wires when in use and pulled back to the fence line when not in use. Care should be taken in the selection of the netting and intermediate free standing support posts to ensure the safety of players at all times, avoiding, as far as possible, potential trip hazards.

The greatest care should be taken if site screening or windbreak materials are to be hung on the surround fencing, to ensure that the design of the fencing is sufficiently robust. A heavy-duty surround system will normally be required for this purpose.

Ball rebound systems

Where appropriate, particularly on MUGAs where five-a-side football is to be played, a rebound wall or board system should be installed. Rebound walls and boards can be constructed from a variety of materials and may be stained or painted in order to improve their aesthetic appearance. A number of companies now also offer rebound fencing typically of a 'twin wire' system or 358 mesh (see examples above). These are advantageous where user and site security issues are a concern as they allow viewing of the total area.

Outdoor sports lighting

For pitches where a significant amount of community use is planned, it is essential that the pitch is properly floodlit. Most funders will insist on outdoor sports lighting.

The advantages of outdoor sports lighting are:

- **Increased use of facilities.** Outdoor sports lighting facilities enables them to be used on winter evenings, giving substantially higher usage rates than equivalent non-floodlit facilities and increasing choice and flexibility of playing times for users.
- **Programming flexibility.** Longer operating hours give facility managers and users more freedom in programming and in initiating sports development programmes.
- **Additional income.** Increased use means greater potential to generate additional income - essential with the high capital cost of providing a MUGA or AGP, although there will be increased wear and tear of the surfaces reducing its service life.
- **Usage options.** A floodlit MUGA adjoining a sports hall can accommodate activities such as football, netball and tennis, releasing more expensive indoor space for other activities.

It is essential, before deciding to install outdoor sports lighting, to be satisfied that the benefits of increased use, flexibility and additional income will justify the initial capital cost and, thereafter, help offset the ongoing energy costs, maintenance costs and the additional management costs necessary to maximise these benefits. A profile of a typical week's use during the playing seasons will help in this assessment. Such a profile should include:

- Club matches, training and coaching sessions for all adult and junior teams
- The likely casual use of the facility by other clubs, teams and individuals – the sports or leisure department of the Local Authority should be able to help in this respect.

Most funders will insist on floodlighting of a synthetic pitch to ensure maximum use of the pitch.

With the profile it should be possible to predict the likely levels of additional income and expenditure that providing outdoor sports lighting will generate and whether such provision is likely to be financially viable. It may also be helpful to consult the Local Authority's Sport and Recreation Strategy or the Regional Recreation Strategy and Sport England's Facility Planning Model to ascertain whether a need for floodlit sports facilities has been identified for the area.

Where outdoor sports lighting is to be installed as part of a MUGA construction, independent specialist technical advice should be taken regarding the choice and performance of the lighting system, the illumination requirements for the specific sports that will be catered for, and the management of the lighting system. Many Local Authorities have planning guidance on sports lighting and early consultation with the planning authority is advisable.

It should be noted that conflicting guidance might sometimes be given by different organisations or publications regarding the recommended standards of lighting for different sports. In such instances, reference should be made to the appropriate NGB for the sport(s) concerned¹⁴.



¹⁴ See 'Artificial Sports Lighting' Design Guidance Note available from the Sport England web site.

6.0 Operation and maintenance

Playing surface

The maintenance of any synthetic sports surface is of vital importance. It is required to ensure consistent playing characteristics and compliance with the specified sports performance requirements, visual appearance and permeability (if appropriate). Regular maintenance is often referred to as '*planned preventative maintenance*' and will also help to maximise the life of the carpet. The contractor should provide full maintenance instructions upon completion of the project. The contractor's guarantee will usually be conditional on the recommended maintenance requirements being carried out with reasonable diligence.

The precise maintenance requirements will vary according to the type of surface and particular guidance should be sought from the contractor / manufacturer. Detailed maintenance guidelines are included in '*The SAPCA Code of Practice for the Construction and Maintenance of Synthetic Turf Sports Pitches*' published by the Sports and Play Construction Association (SAPCA).

It is a common misconception that artificial surfaces are maintenance-free. The products are expensive to install and a proper maintenance programme should be followed to maximise the life expectancy¹⁵. In addition, regular cleaning will help to keep the pitch in an attractive condition and encourage usage.

Refurbishment techniques are available for some types of artificial grass in which some or all of the fill is removed and replaced with new materials. Typically, this would be after 5 or 6 years of use. This can help to maintain the drainage, remove dirt and pollution material and reduce compaction.

Industry guidance is for 1 hour of maintenance for every 10 hours of use.

Frequency	Task
Every 1-2 days	Empty bins Sweep pitch
Weekly	Drag brush Inspect for damage
Every 2-4 months	Standard power brushing
Every 3-4 years	Deep power brush
Every 5-10 years	Infill jetting and replacement

Typical maintenance regime for an artificial grass pitch used for 2000 hours / years¹⁶



Artificial grass pitch marked for hockey and football

¹⁵ The Football Association estimates that £9,000 - £11,000 per year is required (at 2008 prices) for regular and periodic maintenance of a full sized pitch.

<http://www.footballfoundation.org.uk/external-links/>
<http://www.thefa.com/GetIntoFootball/Facilities.aspx>

¹⁶ '*Maintaining Synthetic Turf: Sand Filled Systems, The Cranfield - IOG Guidelines*'

Outdoor sports lighting

The maintenance of the outdoor sports lighting installation is also of vital importance if it is to continue to meet the performance standards and life expectancy set at the design stage. The maintenance will include routine work on all the associated electrical services, cleaning of fittings and checking of the correct 'aiming angles' set up during final commissioning. To enable future maintenance of the lighting to be related to the 'burning hours', a suitable 'hours run' counter should be included in the control / monitoring system. When the performance of the lamps fall below the design standards, the maintenance budget should be used to replace them. This is best done on a planned basis and allowance should be made for all lamps to be replaced as a complete set, and not individually on lamp failure.



Costs in use and replacement funds

Project co-ordinators should take into account the full life costs of the facility at an early stage. Information should be obtained on the costs of routine maintenance of the chosen playing surface, together with the cost of the total replacement at the end of its useful life. The manufacturer of the surface will be able to advise on their particular products and information may be available from other projects. Similar information should be obtained in respect of the floodlighting installation.

Both a routine maintenance budget and a 'sinking fund' for total replacement (or major works) should be established as soon as the new facility is in use, in order to ensure that sufficient funds are available when necessary. Such costs should also be reflected in the business plan and charges for use of the facility by the wider community.

Establish a 'sinking fund' for total replacement of the surface (or major works) at the end of its life.

APPENDIX 1:

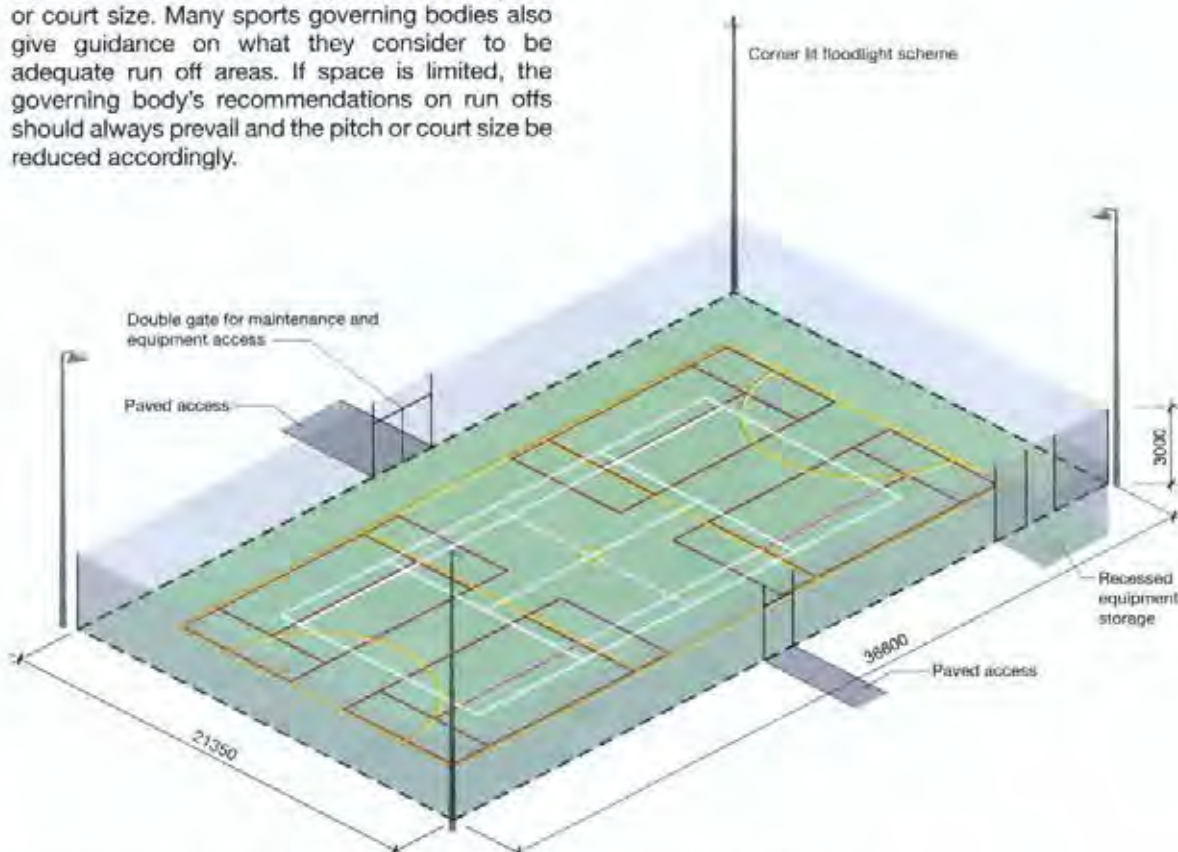
Typical layouts

The success of a MUGA or AGP is dependent on the layout, for the various sports to be played on the facility, being correct. The critical consideration when designing the layout of a MUGA is to maximise the available space whilst providing an acceptable playing environment. The size and layout of the pitch or MUGA should suit local and strategic sporting needs and user profiling.

Project teams should check with NGBs of all sports included for their most current recommendations on pitch dimensions, including run offs, before drafting the facility layout. The total area of the pitch or court comprises the principal play area (the area within the line markings and run offs that are provided to ensure players do not collide with fences, floodlight columns etc). For some sports e.g. tennis, a secondary total play area is prescribed for floodlighting. This is the area outside the principal playing area but less than the total fenced area. The rules of the various sports define the pitch or court size. Many sports governing bodies also give guidance on what they consider to be adequate run off areas. If space is limited, the governing body's recommendations on run offs should always prevail and the pitch or court size be reduced accordingly.

It is generally recommended that playing areas should be orientated approximately in a north-south direction. This orientation is preferred because it minimises the effect of a setting sun on the players, but in the UK climate, the inability to achieve this orientation need not preclude the construction of the facility. It is also worth noting that where a facility is built primarily with daytime play in winter in mind, a north-south orientation may be far from ideal, especially where shading from the south may need increased time for thawing of frosty areas.

The typical layouts indicated for MUGAs and AGPs follow the NGB recommendations. The MUGA layouts are based on single units. Where multiple units are required, sectional boarding or fencing may be used to separate areas, particularly where five-a-side football is to be played.

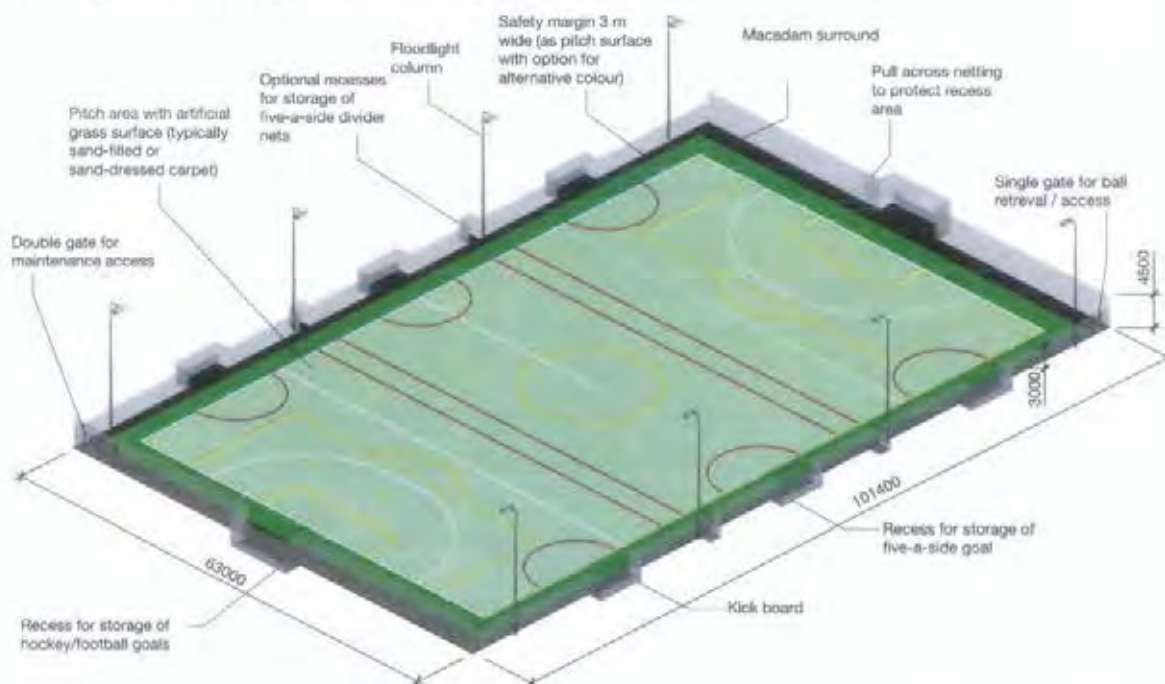


Typical Type 1, 2 or 3 MUGA layout with line markings for tennis, netball and mini tennis

See the 'Artificial Sports Surfaces' section of the Sport England web site for downloadable drawings



Typical Type 4 or 5 MUGA layout with line markings for five-a-side football



Typical AGP layout with line markings for hockey, football and five-a-side football

See the 'Artificial Sports Surfaces' section of the Sport England web site for downloadable drawings

See 'Comparative Sizes of Sports Pitches and Courts' guidance note available from the Sport England web site.



Alternative Languages and Formats:

This document can be provided in alternative languages, or alternative formats such as large print, Braille, tape and on disk upon request. Call the Sport England switchboard on 08458 508 508 for more details.

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User Guide:

Before using this guidance for any specific projects, all users should refer to the 'User Guide' to understand when and how to use the guidance as well as understanding the limitations of use.

[Click here for 'User Guide'](#)

[Click here for current 'Design and Cost Guidance'](#)

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Guidance for Outdoor Sport and Play Beyond the Six Acre Standard

England

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This PDF has interactive elements including hyperlinks to useful external resources. Throughout this document, wherever you see text underlined, it is a link to either another page within this document or an external webpage.

You can use the arrows at the top right of each page to move to the previous or next page, or the link underneath the arrows to return to this contents page.

Foreword



'At first glance the similarities between toddlers playing in the local park and professional athletes competing at the highest level seem tenuous but they both share one basic requirement: a need for outdoor recreational space.'

Parks, playgrounds and playing fields play a vital role in building healthy neighbourhoods contributing to the physical, mental and emotional well-being of local people. Without access to these spaces the quality of life and wellbeing of residents is reduced.'

Guidance for Outdoor Sport and Play: Beyond the Six-Acre Standard emphasises the need for a range of both formal and informal outdoor spaces to meet our recreational needs and the practical tools to guarantee sufficient space is available.'

Outdoor recreational spaces are the foundation stone for an active, healthy nation. Fields in Trust's expert advice ensures provision of these spaces is part of the fabric of our communities.'

The Rt Hon The Lord Coe CH KBE

'Since the 1930s, Fields in Trust has provided guidance on the provision of outdoor space for sport, play and recreation that is both respected and valued across the sector. This new publication recognises the need for people to have access to a wide range of outdoor spaces for recreational purposes and the intrinsic value these important spaces bring to the health and well-being of our communities.'

**HRH The Duke of Cambridge
President, Fields in Trust**

'I welcome this updated guide which councils and neighbourhood planning groups may find helpful when they consider planning for open space.'

**The Rt Hon Greg Clark MP
Secretary of State for Communities and Local Government**

Introduction

'Guidance for Outdoor Sport and Play' is a one-stop shop for the practitioner – local planning authorities, developers, planners and urban designers, landscape architects and parish and town councils – in the planning and design of outdoor sport, play and informal open space.

Fields in Trust

Fields in Trust is the operating name of the National Playing Fields Association (NPTA), and has been protecting outdoor space for sport and recreation since 1925. Its mission is to safeguard and improve protected space for future generations.

Fields in Trust currently safeguards over 2,500 sites, a total of 28,000 acres of land (11,331ha.) including playgrounds, playing fields, and formal and informal parkland across the UK.

Examples of Fields in Trust's protection work include the [King George V Fields](#), the [Queen Elizabeth II Fields](#) and [Centenary Fields](#).

Open Space Guidance

As part of its protection work, Fields in Trust has offered guidance for practitioners on open space provision and design known as the Six Acre Standard (6AS) since the 1930s and most recently updated to Planning and Design for Outdoor Sport and Play (PDOSP) in 2008.

The benchmark standards within PDOSP remain a useful guidance tool. However, there is need for review, given the substantial changes in the political, planning and social landscapes since 2008 including:

- * reforms to national planning policy and guidance and the introduction of Neighbourhood Planning and CL; and
- * a growing trend towards a preference for individual participatory sport.

Sustainability

Updated guidance for open space and play provision resonates with national planning policy, in particular the presumption in favour of sustainable development, the promotion of its economic, social and environmental roles and the seeking of positive improvements in the quality of the environment, and people's quality of life. In promoting healthy communities, access to high quality open spaces can make an important contribution to health and wellbeing. Such open spaces should not be built on unless any loss is appropriately replaced or outweighed by new provision.

Open space also plays an important role in meeting the challenge of climate change and flooding through integrating Sustainable Urban Drainage Systems (SuDS) and providing opportunities for conserving and enhancing the natural environment.

A review of current national planning policy and guidance related to open space provision can be found [here](#).



King George V Field,
Westminster



Queen Elizabeth II Field,
Southwark



Centenary Field,
Poynthorpe

Policy context

National Policy – England

i. National Planning Policy Framework

The National Planning Policy Framework (NPPF) was published in March 2012. It forms the key national policy document and is a material consideration in planning decisions.

ii. National Planning Practice Guidance

National Planning Practice Guidance (NPPG) provides additional guidance to the NPPF, including in relation to open space, sports and recreation, in the form of an online resource.

iii. The Localism Act – Neighbourhood Planning Orders

The Localism Act paved the way for planning powers to be passed down to local communities through the production of Neighbourhood Plans. Neighbourhood Plans are to be prepared by community groups, guided by Local Planning Authorities, and plan for a range of land uses, including outdoor sports and recreation uses.

iv. Planning Agreements and Community Infrastructure Levy (CIL)

The Community Infrastructure Levy (CIL) is a method of collecting funds from development to pay for necessary delivery and maintenance of infrastructure. Local authorities have the freedom to set their own priorities for what the money should be spent on. A portion of the CIL funds (up to 25%) will be payable to local communities with Neighbourhood Plans in place, for the purpose of localised spending on priority projects. CIL funds are capable of being used to fund local sport and recreation facilities.

v. Other Material Orders/Legislation

- * Metropolitan Open Land designation (in London).
- * Planning Policy Guidance 17: Planning for open space, sport and recreation (PPG 17): although no longer current guidance, the content is still of practical value, along with The Companion Guide to PPG 17 (Assessing Needs and Opportunities).
- * Disposal or change of use of playing field and school land (2015).

Green Flag Awards

Managed by Keep Britain Tidy and Keep Wales Tidy these awards reward the best green spaces in the country. Green Flag recognises the importance of Fields in Trust permanent safeguarding of open spaces in its processes.



Fields in Trust Policy Framework

Good planning and design is central to the philosophy and objectives of Fields in Trust and adds value to the overall quality of an area, helping to create a sense of place and space as well as contributing to the health and wellbeing of residents.

The Fields in Trust policy framework seeks the protection, provision and improvement of outdoor spaces for sport and play as part of the provision of sustainable communities.

Policies are kept under review to ensure that they remain relevant and proportionate. Current land-use policies include:



Policy 1 – Promoting Healthy Communities

As its core principle Fields in Trust protects the legacy of high quality outdoor spaces to facilitate opportunities for sport, play and recreation.



Policy 2 – Protection of Open Space

Fields in Trust seeks to contractually protect individual outdoor spaces for sport, play and recreation in perpetuity via deed of dedication. Fields in Trust does not look to own or manage sites but to work with all recreational landowners to secure the future of their local spaces for recreation.



Policy 3 – Safeguarding of Facilities

Fields in Trust objects to the loss of existing open space for sport play and recreation unless exceptional circumstances can be demonstrated. The development of community playing fields and school playing fields should be refused unless replacement facilities of equal quality and quantity can be provided to serve the same catchment area to meet the need of both new and existing communities.



Policy 4 – Town and Village Greens

Whilst noting that recreational use of land may meet the criteria for registration of land as a town and village green, Fields in Trust prefers that such space be protected by deeds of dedication to ensure that an appropriate balance is struck between protection and flexibility to improve the space.



Policy 5 – Green Belt Development

Fields in Trust supports the provision of playing fields and other appropriate recreational facilities in the Green Belt consistent with policy for Green Belt development.



Policy 6 – Sustainable Development

Fields in Trust supports sustainability benefits arising from outdoor spaces including energy use and generation, carbon reduction, conservation of natural resources such as air, water, soil and biodiversity, sustainable consumption and production.



Policy 7 – Telecommunications

Fields in Trust does not normally support telecommunications apparatus and structures on playing fields if they conflict with the primary purpose of the land. Any such cases will be considered on individual merit.



Policy 8 – Planning and Design

Fields in Trust attaches great importance to the planning and design of facilities for communities. Good planning will achieve the provision of open spaces (formal and informal). Designated spaces (LEAPs, NEAPs and MUSEAs) should be provided on all developments in line with the guidance set out in this document.



Policy 9 – Planning Agreements

Fields in Trust seeks to secure the provision and protection of spaces for outdoor sport, play and recreation through planning conditions or obligations.



Policy 10 – National Planning Policies

Fields in Trust seeks to support national guidance and policies geared towards the protection of outdoor space for sport, play and recreation.

Fields in Trust guidelines: guidance for the practitioner

Fields in Trust's benchmark standards, or local guidance derived from them, were widely used by local authorities for many years and they were referred to by other bodies, including Sport England who used to refer to them for benchmarking purposes. 75% of LPAs in a [survey commissioned by Fields in Trust in 2014](#) use the PDOSP or guidance that promotes equivalent levels of provision demonstrating the continuing relevance of Fields in Trust's Benchmark Guidelines.

The 2015 guidance backed up by research retains the same headline rates of provision, but draws out new recommendations for accessibility, the application of standards and the minimum dimensions of formal outdoor space. The standards also no longer differentiate between urban and rural areas.

Using this current guidance will help to ensure that the provision of outdoor sport, play and informal open space is of a sufficient size to enable effective use; is located in an accessible location and in close proximity to dwellings; and of a quality to maintain longevity and to encourage its continued use. It is recommended that Equipped/ Designated Play Spaces be promoted in the form of:

- * Local Areas for Play (LAPs) aimed at very young children;
- * Locally Equipped Areas for Play (LEAPs) aimed at children who can go out to play independently; and
- * Neighbourhood Equipped Areas for Play (NEAPs) aimed at older children

These can be complemented by other facilities including Multi Use Games Areas (MUGAs) and skateboard parks etc.

Open spaces can also provide dual use for Sustainable urban Drainage Systems (SuDS), delivering recreational benefits by using attenuation and storage areas for play and/or sports areas.

Table 1 sets out Fields in Trust Benchmark Guidelines for a range of open space and equipped play areas. These benchmarks reflect the findings of the survey of local standards for open space applied by local planning authorities

Quantity guidelines should not be interpreted as maximum levels of provision, and it is recommended that these are adjusted to take account of local circumstances.

Accessibility guidelines are provided as walking distance from dwellings. Indicative walking distances can be determined from the accessibility guidelines as set out below.

- * 250m = 2–3 minutes' walk
- * 400m = 5 minutes' walk
- * 800m = 10 minutes' walk
- * 1,200m = 15 minutes' walk
- * 1,600m = 20 minutes' walk

It should be recognised that when applying these benchmarks, local use features and obstacles to pedestrian and cycle movement should be taken into account. In doing so, accessible and sustainable play and sport facilities will be maximised.

High quality green spaces go a long way to encouraging people to use facilities positively and actively. Fields in Trust favours the use of durable equipment to reduce the burden and cost of maintaining open spaces, and recommend that management and maintenance regimes be put in place to ensure repair and replacement can be facilitated over time as necessary to maintain the standard of quality.

Definitions can be found here for the open space and equipped/ designated play area typologies.



Equipped and designated play spaces should be in accessible locations and in close proximity to dwellings

Table 1: Fields in Trust recommended benchmark guidelines – formal outdoor space

Open space typology	QUANTITY GUIDELINE (hectares per 1,000 population)	WALKING GUIDELINE (walking distance: metres from dwellings)	QUALITY GUIDELINE
Playing pitches	1.20	1,200m	<ul style="list-style-type: none"> * Quality appropriate to the intended level of performance, designed to appropriate technical standards. * Located where they are of most value to the community to be served. * Sufficiently diverse recreational use for the whole community. * Appropriately landscaped. * Maintained safely and to the highest possible condition with available finance. * Positively managed taking account of the need for repair and replacement over time as necessary.
All outdoor sports	1.60	1,200m	<ul style="list-style-type: none"> * Provision of appropriate ancillary facilities and equipment. * Provision of footpaths. * Designed so as to be free of the fear of harm or crime. * Local authorities can set their own quality benchmark standards for playing pitches, taking into account the level of play, topography, necessary safety margins and optimal orientation¹.
Equipped/designated play areas	0.25 See table 4 for recommended minimum sizes	LAPs - 100m LEAPs - 400m NEAPs - 1,000m	<ul style="list-style-type: none"> * Local authorities can set their own quality benchmark standards for play areas using the Children's Play Council's Quality Assessment Tool.
Other outdoor provision (MUGAs and skateboard parks)	0.30	700m	

¹ Quantity guidelines should not be interpreted as either a maximum or minimum level of provision; rather they are benchmark standards that can be adjusted to take account of local circumstances.

² Technical standards produced by Sport England, national governing sporting bodies or professional or trade organisations, such as the [Institute of Groundsmanship](#) and the [Sports and Play Construction Association](#) can prove helpful.

Table 2: Recommended Application of Quantity Benchmark Guidelines – Equipped/Designated Play Space

Scale of Development	Local Area for Play (LAP)	Locally Equipped Area for Play (LEAP)	Neighbourhood Equipped Area for Play (NEAP)	Multi-Use Games Area (MUGA)
5-10 dwellings	✓			
10-200 dwellings	✓	✓		Contribution
201-500 dwellings	✓	✓	Contribution	✓
501+ dwellings	✓	✓	✓	✓

The guidelines are recommended to relate to residential and mixed-use developments involving non-specialist residential use (i.e. the standards should be reviewed where there are high levels of student housing, or sheltered accommodation) using average household sizes for the relevant local planning authority.

Table 2 sets out recommended benchmark guidelines for the provision of equipped/designated play space. These should be provided on site in accordance with the minimum sizes set out at **Table 4**. A financial contribution (i.e. through S106 or CIL) towards improvement of an existing equipped/designated play space may be sought in lieu of on-site provision for larger scale play spaces, or where existing play space lies within the walking distance guideline of a proposed development (see Table 2).

Table 3: Fields in Trust Recommended Benchmark Guidelines – Informal Outdoor Space

Open Space Typology	QUANTITY GUIDELINE ³ (hectares per 1,000 population)	WALKING GUIDELINE (walking distance: metres from dwellings)	QUALITY GUIDELINE
Parks and Gardens	0.80	710m	* Parks to be of Green Flag status. * Appropriately landscaped.
Amenity Green Space	0.60	480m	* Positive management. * Provision of footpaths.
Natural and Semi-Natural	1.80	720m	* Designed so as to be free of the fear of harm or crime.

Fields in Trust **survey of local standards** identified the use of local standards for informal outdoor spaces such as Parks and Gardens and the broad use of national standards for space such as Natural England's 'Nature Nearby' Accessible Natural Greenspace Guidance. Fields in Trust considers that these spaces can play a valuable role in complementing formal outdoor space provision consistent with its objectives, and provide opportunities for play and recreation. Table 3 sets out benchmark guidelines for informal outdoor space.

³ Quantity guidelines are provided as minimum guidelines and should not be interpreted as maximum levels of provision, and it is recommended that they are adjusted to take account of local circumstances.

How to apply this guidance

Fields in Trust's benchmarks form a suitable basis for informing planning policies at district or neighbourhood level, and to inform planning decisions on individual proposals.

Quantity

The quantity guidelines can be applied across all urban and rural settings. Account should be taken of the intensity of use of a particular facility: it may be appropriate to relax the quantity guidelines where facilities support a high intensity of usage (e.g. MUGAs, Synthetic Turf Pitches supported by floodlighting).

Accessibility

Accessibility thresholds should be measured as distances actually walked rather than 'as the crow flies' (see also the [indicative walking times on page 5](#)). Significant obstacles or impediments to local access such as main roads should be avoided in accessing open spaces. Open Space and play facilities should be located and be accessible from bus stops, pedestrian and cycle routes to promote sustainable travel. Other larger scale strategic facilities such as swimming pools or golf courses will have broader catchments – these lie beyond the scope of this guidance.

Quality

The quality guidelines should be applied to encourage people to use facilities which are safe, secure and fit for purpose.

Spatial Requirements

Recommended Minimum Sizes

The recommended minimum spatial requirements for the more popular outdoor sports and games are set out in [Table 4](#). These requirements allow for safety margins and the movement of pitches from season to season. Unless stated otherwise, the areas given are those for senior use. The information is provided only as a guide. The margins around pitches should allow for maintenance operations to be carried out. Further guidance on the dimensions of each type of facility can be found in many other publications, including those of the [Sports and Play Construction Association](#) and [Sport England](#).

Buffer Zones

A suitable relationship can be created by using the minimum buffer zones for specific facilities. These off-set distances ensure that facilities do not enable users to overlook neighbouring properties, reducing the possibility of conflict between local residents and those at play.



Conflict between local residents and those at play should be kept to a minimum

Table 4: Recommended minimum sizes – formal outdoor space

Open space typology	Minimum sizes	Minimum dimensions	Buffer zones	
Playing pitches	Association football Adult soccer Mini soccer U7/U8 pitch Mini soccer U9/U10 pitch	0.74ha 0.14ha 0.25ha	106 x 70 metres 43 x 33 metres 60 x 42 metres	-
	Rugby Union	0.70ha	100 x 70 metres	-
	Hockey Mini Hockey	0.31ha	65 x 48 metres	-
	Lacrosse	0.66ha	100 x 60 metres	-
	Cricket Senior recreational 12 pitch	1.43ha	111.56 x 128.04 metres	-
	Athletics 6 lane track	1.51ha	172.03 x 87.64 metres	-
Other outdoor (non-pitch) sports	Tennis courts 1 recreational court 2 recreational courts For each adjacent court	0.06ha 0.11ha 0.05ha	34.75 x 17.07 metres 34.75 x 31.70 metres 34.75 x 14.63 metres	-
	Bowling greens Flat green Crown green	0.12ha 0.087ha	34.4 x 34.4 metres 27.4 x 27.4 metres	-
	LAP	0.01ha	10 x 10 metres <i>(minimum activity zone of 100sqm)</i>	5m minimum separation between activity zone and the boundary of dwellings
Equipped/designated play areas	LEAP	0.04ha	20 x 20 metres <i>(minimum activity zone of 400sqm)</i>	20m minimum separation between activity zone and the habitable room façade of dwellings
	NEAP	0.1ha	31.6 x 31.6 metres <i>(minimum activity zone of 1,000sqm comprising an area for play equipment and structures & a hard surfaced area of at least 465sqm (the minimum needed to play five-a-side football))</i>	30m minimum separation between activity zone and the boundary of dwellings
Other outdoor provision (MUGAs and skateboard parks)	MUGA	0.1ha	40 x 20 metres	30m minimum separation between activity zone and the boundary of dwellings

Annexe A: Glossary

6AS	Six Acre Standard (2001)	MUGA	Multi Use Games Area	Other outdoor sports	Courts and greens comprising natural or artificial surfaces, including tennis courts, bowling greens, athletics tracks and other outdoor sports areas
Accessibility	Convenient, inclusive and safe accessibility to outdoor facilities, particularly for children and the less mobile	Multi-functionality	Green space performs both important recreational activity space and important environmental functions, such as moderating surface water run-off, air pollution and wind speeds, as well as providing wildlife habitats to aid biodiversity	Parks and Gardens	Formal green spaces including urban parks, country parks, forest parks, and formal gardens
Amenity greenspace	Informal recreation spaces, communal green spaces in and around housing, and village greens	Natural and semi-natural greenspaces	Woodland, scrub, grassland, wetlands, open and running water, and open access land	PDOSP	Planning and Design for Outdoor Sport and Play (2008)
CIL	Community Infrastructure Levy	NEAP	Neighbourhood Equipped Area for Play (and informal recreation, and provision for children and young people)	Playing pitches	Pitch sports including soccer, rugby union, rugby league, hockey, lacrosse, cricket and American football
Designated play areas	Designated areas for children and young people containing a range of facilities and an environment that has been designed to provide focused opportunities for outdoor play comprising casual or informal playing space within housing areas. These play areas comprise LAPs, LEAPs and NEAPs	Non-specialist residential use	Dwellinghouse occupied by a single person or by people regarded as forming a single household, not including residential accommodation where care is provided, purpose-built student accommodation or holiday homes	Primary purpose	Different types of open space and play facilities will have a primary purpose which is accorded priority at certain times (e.g. sports pitches when matches are being played) or indeed at all times (e.g. children's playgrounds and bowling greens)
General Residential Use	Residential use within Class C3 of the Town and Country Planning Use Classes Order but excluding specialist forms of housing such as housing aimed at specialist groups (e.g. sheltered housing, student accommodation etc.) or housing not permanently occupied such as holiday homes	NPFA	National Playing Fields Association	Protected space	Outdoor sport, play and informal open space
LAP	Local Area for Play (and informal recreation)	NPPF	National Planning Policy Framework	Quality	The needs, expectations and experiences of users, and the design, management and maintenance of facilities
LEAP	Local Equipped Area for Play (and informal recreation)	NPPG	National Planning Policy Guidance	Quantity	A measure of the amount of open space provision which is necessary to meet the needs of the local (and in some cases the regional) catchment
LPA	Local Planning Authority	Other outdoor provision	Other outdoor provision comprises MUGAs, skateboard parks and other outdoor provision		

Annexe B: Summary report of the survey work

Introduction

1. Fields in Trust undertook a review of recommendations on standards for outdoor play, sport and recreation within *Planning and Design for Outdoor Sport and Play* (formerly known as the Six Acre Standard). This work was undertaken on a phased basis: a Phase 1 desk top pilot study of 30 local planning authorities undertaken by Pegasus Group (July 2014) and a Phase 2 survey undertaken on behalf of Fields in Trust by David Lock Associates (DLA).
2. The Phase 2 survey comprised an online survey of local planning authorities, supplemented by further desktop research drawing on the Phase 1 study and other sources.

Quantitative Survey of Local Authorities

3. All local planning authorities throughout England and Wales were sent an online questionnaire relating to the practical use of standards for space for outdoor sport and play. A total of 107 English and 12 Welsh authorities responded to the survey. The Phase 2 report analyses the 119 responses from local planning authorities in England and Wales only. This represents a response rate for England and Wales of 33%.
4. A total of 81% of respondents express quantity standards for open space as 'hectares per 1,000 population'.
5. In relation to local standards for open space being met in planning decision-taking, and based on a scoring system with 1 being 'seldom' and 10 being 'always', 64% indicated a score between 7 and 10. This indicates a relatively high degree of compliance with open space standards in planning decision making.

Playing Pitches

6. 52% of respondents were able to provide data about their current standards for the provision of playing pitches on a hectares per 1,000 population basis. The median level of provision was 1.21 hectares per 1,000 population which is comparable with the recommendation of 1.20 hectares per 1,000 population in *Planning and Design for Outdoor Sport and Play* (2008). In 20 instances, the local planning authority standard for playing pitches employed is lower than the Fields in Trust benchmark recommendation.
7. The median accessibility standard from respondents was 1,200m from dwellings, which matches the Fields in Trust benchmark.

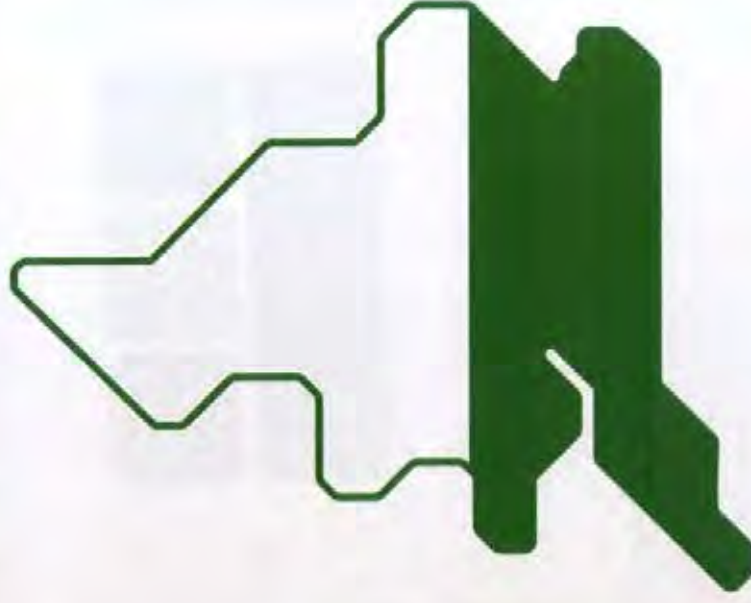
Other Outdoor Sports

8. 25% of respondents were able to provide data about their current standards for the provision for other outdoor sports, expressed as hectares per 1,000 population. Other outdoor sports (excluding pitches) included provision of bowling greens, tennis courts, athletic tracks and Gaelic football. Taken with the standards for Playing Pitches for the relevant authorities, the combined total exceeds the benchmark of 1.60 hectares per 1,000 population for All Outdoor Sport in *Planning and Design for Outdoor Sport and Play* (2008).

Designated Play Areas

9. 49% of respondents were able to provide data about their current designated equipped spaces for play, expressed as hectares per 1,000 population. The median level of provision was 0.25 hectares per 1,000 population. This is equal to the Fields in Trust benchmark standard for Designated Playing Space for LEAPs, and 1,000m for NEAPs when considered individually. Accessibility standards were also more commonly expressed in terms of walking time, rather than distance.

The survey was able to analyse the standards of one third of local authorities in England and Wales



Other Outdoor Provision

11. 13% of respondents were able to provide data about their current provision for other outdoor provision, expressed as hectares per 1,000 population. Other outdoor provision comprised provision of natural and semi-natural green space, Multi-Use Games Areas (MUGAs), and wheeled sport (BMX track or Skate Park). A small number of respondents noted that 'other outdoor' provision was included as part of their requirements for open space for children and young people.

Parks and Amenity Green Space

12. 22% of the total number of respondents were able to provide data about parks and amenity green space as an overall standard, expressed as hectares per 1,000 population. For parks and amenity green space, where provided as an overall standard, the median level of provision sought was 1.0 hectare per 1,000 population.
13. For Parks on their own, 21% of respondents provided data which identified the median level of provision sought to be 0.8 hectares per 1,000 population.
14. For Amenity Green Space on its own, 21% of respondents provided data which identified the median level of provision sought to be 0.55 hectares per 1,000 population.

Other Open Space Standards

15. 42% of respondents were able to provide data about other standards for open space applied within their local authority area. 'Others' included an overall catch-all standard, allotments, community gardens, and urban farms, and natural and semi-natural greenspace.
16. The median overall standard of provision for 'others' was 1.59 hectares per 1,000 population.
17. The median level of provision for allotments, community gardens and urban farms was 0.3 hectares per 1,000 population.
18. For natural and semi-natural green space, the local standard of provision was 1.78 hectares per 1,000 population.

Quality

19. 59% of English and Welsh authorities identified that they had specific requirements regarding the quality of new open space provision. Of those respondents who specified their quality requirements, 18% apply a local assessment of quality (the most commonly used quality assessment by respondents). 10% apply the Green Flag standard to assess the quality of parks. 8% of respondents apply the Fields in Trust standards. 2% of authorities apply the Sport England standards in assessing the quality of sports pitches.

Appeals

20. A shortlist of 19 appeal decisions were reviewed relating to the disposal and reuse of open space, the replacement of open space or new provision. The decisions were specific to the particular circumstances of each case and no clear pattern regarding the use of Fields in Trust standards was apparent. However, a number of cases did make reference to Fields in Trust standards and used these as part of the decision-making process.

Conclusion and Recommendations

21. The survey work demonstrated clearly that the previous recommendations of 'Planning and Design for Outdoor Sport and Play' (2008) remain very relevant in the context of current provision in England and Wales. As provided by the National Planning Policy Framework and National Planning Practice Guidance, there is a need for local assessment but the use of Fields in Trust recommendations as quantitative Benchmark Standards carry general value. As illustrated from the survey results, there are variations both below and above the Fields in Trust Benchmark standards.

Planning and Design for
Outdoor Sport and Play

Fields in Trust
Guidance for
Local Authorities
on the Quality of
New Open Space
Provision

fit
fields in trust



Annexe C: Further planning context

Planning Policy in England

1. An overview of the influential planning policy relevant to the provision of outdoor space for sport, recreation and play focuses on that within England. This reflects the local planning authorities surveyed as part of the 2015 Survey for those countries where the response rate was sufficient to provide a representative sample of local planning authorities.

Localism Act

2. The Localism Act was given Royal Assent in 2011, paving the way for planning powers to be passed down to local communities through the production of Neighbourhood Plans. Neighbourhood planning legislation came into effect in April 2012. Neighbourhood Plans are to be prepared by community groups, guided by Local Planning Authorities, and plan for a range of land uses, including outdoor sports and recreation uses. As such there is a need to respond to Neighbourhood Planning within the revised Benchmark Guidelines.

Community Infrastructure Levy (CIL)

3. The Community Infrastructure Levy (CIL) is a method of collecting funds from development to pay for necessary delivery and maintenance of infrastructure. It came into force in April 2010 through the Community Infrastructure Levy Regulations 2010. The latest amendments are set out in the Community Infrastructure Levy (Amendment) Regulations 2015 which came into force in April 2015. Most new development which creates net additional floor space of 100 square metres or more, or creates a new dwelling, is potentially liable for the levy. Local authorities have the freedom to set their own priorities for what the money should be spent on.

4. A portion of the CIL funds (up to 25%) will be payable to local communities with Neighbourhood Plans in place, for the purpose of localised spending on priority projects. CIL funds are capable of being used to fund local sport and recreation facilities. The regulations set out controls to ensure the use of the levy and planning obligations does not overlap.

National Planning Policy Framework (NPPF)

5. The National Planning Policy Framework was published in March 2012. It forms the key national policy document and is a material consideration in planning decisions⁴. The previous guidance 'Planning and Design for Outdoor Sport and Play' (PDOSP) predates the NPPF and the Benchmark Guidelines in the revised guidance reflect the relevant requirements of the NPPF, and the revocation of Planning Policy Guidance 17: Sport and Recreation on which the PDOSP was based.

6. The NPPF advocates a presumption in favour of sustainable development and identifies the three dimensions of sustainable development as economic, social and environmental. Access to high quality open spaces and opportunities for sport and recreation are highlighted as an important aspect of healthy communities.

7. One of the core planning principles set out under NPPF paragraph 17 seeks to "secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings".

8. NPPF paragraph 73 states that "access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. Planning policies should be based on robust and up-to-date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision".

9. Benchmark Guidelines at the national level must therefore continue to be capable of adjusting to local circumstances.
10. The NPPF also promotes the protection of existing open space (paragraph 74) which is a key aspect of Fields in Trust's operations as a national charity that safeguards recreational spaces. Paragraph 8.1 promotes the use of Green Belt land for beneficial outdoor sport and recreation opportunities, where it preserves the openness of the Green Belt (paragraph 89), or in London 'Metropolitan Open Land', which is afforded the same level of protection as the Green Belt.

11. Paragraph 69 relates to community involvement in planning decisions, including through Neighbourhood Planning, and states that:

"The planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities...To support this, local planning authorities should aim to involve all sections of the community in the development of Local Plans and in planning decisions, and should facilitate neighbourhood planning."

12. Paragraph 175 relates to CIL and states that:

"Where practical, Community Infrastructure Levy charges should be worked up and tested alongside the Local Plan. The Community Infrastructure Levy should support and incentivise new development, particularly by placing control over a meaningful proportion of the funds raised with the neighbourhoods where development takes place."

⁴ See paragraph 13 of the NPPF, DCLG (March 2012)

13. Land can be designated as 'Local Green Space' in Local Plans or Neighbourhood Plans, which provides special protection against development for green areas of particular importance to local communities. Paragraph 77 of the NPPF sets out the requirements for designation and comprise:
- *"where the green space is in reasonably close proximity to the community it serves;*
 - *Where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquility or richness of its wildlife; and*
 - *Where the green area concerned is local in character and is not an extensive tract of land."*
14. Local Green Space designation exemplifies the importance to local communities of recreational space which is in close proximity to local people.
15. The NPPF states at paragraph 171 that:
- "Local planning authorities should work with public health leads and health organisations to understand and take account of the health status and needs of the local population (such as for sports, recreation and places of worship)... and any information about relevant barriers to improving health and well-being."*
16. Physical activity is fundamental to the overall health and wellbeing of the population, and therefore the provision of open space for sport, play and recreation is instrumental to this.
- National Planning Practice Guidance (NPPG)**
17. **National Planning Practice Guidance** provides additional guidance to the NPPF in the form of a web-based resource which is updated on a regular basis to incorporate changes in planning legislation and policy. The NPPG provides guidance on a wide range of topics, including in relation to open space, sports and recreation.
18. As the online NPPG is periodically updated, and to avoid referencing out-of-date guidance, a written summary of guidance is not provided in this document. Up-to-date PG guidance can be found at: <http://planningguidance.planningportal.gov.uk/blog/guidance/>
19. The following topic areas may be of particular relevance:
- ii. Community Infrastructure Levy
 - iii. Health and wellbeing
 - iv. Natural environment
 - v. Open space, sports and recreational facilities, public rights of way and Local Green Space

Annexe D: Other ways to use this guidance

1. Beyond the Six Acre Standard: Guidance for Outdoor Sport and Play provides a fresh expression of Fields in Trust benchmark policies for sports and play provision. This annex sets out further advice on how the guidance can be employed.
- * Guidance.
- * The benchmark and the ways to meet it.
- * Research of equivalent cases.
- * Implementation: legal and ownership mechanisms to protect land over the long term.

Alternative and multi-use ways of providing sport and recreation within planned developments

2. In certain locations it may be appropriate to consider the sharing of facilities or the provision of multi-use facilities.
3. The dual use of facilities covers all situations in which the community is granted authorised access to school facilities for outdoor sport and recreation irrespective of the detailed financial arrangements or original intentions which guided the planning and provision of the facilities.
4. Provided that community safety and school security issues, including insurance, can be satisfied it is recommended that school playing space is made available to the local community out of school hours and during holiday periods. Hard surfaced or synthetic pitches and courts have the ability to sustain intensive use and may usefully provide opportunities for community use when not in use by the school and changing facilities are available.

5. The ability of natural grass pitches to sustain additional community use outside school hours will depend on a number of factors, including weather conditions, the drainage characteristics of the site, and the frequencies of sports being played. To avoid difficulties for the school and a potential decline in the quality of facilities, there must be a clear understanding of any necessary physical alterations to the premises and proper management of the dual use.

6. Many groups besides local authorities provide opportunities for children's play. The shared use of a play area may be offered to the community as part of a Section 106 agreement related to a planning application, for use by different groups of children.

7. There is also the potential for the active recreational use of features such as Sustainable Urban Drainage Systems (SUDs) in major developments which can be used as linear play areas.

Fields in Trust Benchmark Guidelines and Local Plans

8. The results of the **Phase 2 survey** demonstrate that the Fields in Trust benchmarks remain very relevant in the context of current provision in England and Wales. The Fields in Trust benchmarks provide a starting point for determining local standards of provision, accessibility and quality.

Fields in Trust Benchmark Guidelines and Neighbourhood Plans

9. **Neighbourhood Plans** are prepared by neighbourhood planning groups (often Town or Parish Councils), guided by Local Planning Authorities, and plan for a range of land uses, including outdoor sports and recreation uses. Fields in Trust Benchmarks can be used in identifying an appropriate level of outdoor sport and play provision.

- ## Fields in Trust Benchmark Guidelines and CIL
10. The **Community Infrastructure Levy (CIL)** allows local planning authorities in England and Wales to raise funds from developers to fund a wide range of infrastructure that is needed as a result of development. A portion of CIL funds will be payable to local communities close to the development location with Neighbourhood Plans in place for the purpose of localised spending on priority projects. These funds are capable of being used to fund local sport and recreation facilities, and local planning authorities and local communities should consider how these funds can be apportioned for the provision or improvements to such uses. Most new development which creates net additional floor space of 100 square metres or more, or creates a new dwelling, is potentially liable for the levy. CIL therefore presents a potential resource to allow smaller scale development to make an effective contribution to outdoor sport and play provision.

Fields in Trust Benchmark Guidelines and Local Green Space

11. Land can be designated as '**Local Green Space**' in Local Plans or Neighbourhood Plans, which provides special protection against development for green areas of particular importance to local communities. Fields in Trust Benchmark guidelines can assist in defining the role of such spaces in meeting open space needs within the local community.

Fields in Trust Benchmark Guidelines and Planning Applications

12. Planning applications must satisfy local policy requirements which include open space provision. Benchmark Guidelines and spatial requirements can be used to form the basis for determining locally derived standards based on need, accessibility and quality.

Fields in Trust Benchmark Guidelines and Appeals

13. In the determination of appeal decisions where the disposal and reuse of open space, the replacement of open space or new provision is a material consideration, Fields in Trust Benchmark Guidelines can provide an appropriate method of assessment, providing a robust basis for decision-takers to assess the provision of open space.

Fields in Trust Benchmark Guidelines and Safeguarding

14. In promoting the safeguarding of open spaces, Fields in Trust benchmarks can be utilised to ensure an appropriate provision for outdoor sport and play is provided for, when considering the disposal of alternative use for existing open spaces.

Annexe E: Useful resources

Fields in Trust	www.fieldsintrust.org	Central Council for Physical Recreation	www.ccprr.org.uk
Sport England	www.sportengland.org	Federation of Sports and Play Associations	www.sportsandplay.com
Sports and Play Construction Association	www.sapca.org.uk	Play England	www.playengland.org.uk
Institute of Groundsmanship	www.iog.org	Active Places	www.activeplaces.com
Chartered Institute for the Management of Sport and Physical Activity	www.cimspa.co.uk	Association of Play Industries	www.api-play.org
Football Association	www.thefa.com	Register of Playground Inspectors International	www.playinspectors.com
Football Foundation	www.footballfoundation.org.uk	RoSPA Play Safety	www.rospa.com/playsafety
		Playlink	www.playlink.org.uk

Useful publications

- 'A plain English guide to the Localism Act' Department for Communities and Local Government (2011)
- 'Design for Play: A Guide to creating successful play-spaces' Play England (2008)
- 'Localism Act 2011' The Stationery Office Limited
- 'National Planning Policy Framework' Department for Communities and Local Government (2012)
- 'National Planning Practice Guidance' Department for Communities and Local Government
- 'Plain English guide to the Planning System' Department for Communities and Local Government (2015)
- 'The Community Infrastructure Levy Regulations 2010' The Stationery Office Limited
- 'The Community Infrastructure Levy (Amendment) Regulations 2013' The Stationery Office Limited
- 'The Community Infrastructure Levy (Amendment) Regulations 2015' The Stationery Office Limited
- 'The Neighbourhood Planning (General) Regulations 2012' The Stationery Office Limited
- 'The Town and Country Planning (Local Planning) (England) Regulations 2012 as amended' The Stationery Office Limited
- 'Town and Country Planning Act 1990' The Stationery Office Limited

Annexe F: Guidance for Outdoor Sport and Play – Steering Group

Dr. Ann Heywood is Consultant to Academic Partnerships International working with Cambridge and other universities to spread access to their educational offering globally, online. She is also a Trustee and Court Assistant of the Worshipful Company of Chartered Surveyors. She was formerly Principal of the College of Estate Management, the leading not for profit supported e-learning provider for the property and construction sector. Previously in private practice as Principal of sustainability consultancy (Principal Purpose) advising on best practice in sustainable development, construction and delivery. She was elected Green Surveyor of the year by RICS and chaired the RICS Presidential Commission on Sustainability (2004 – 2007), with a mission to increase sustainability awareness and good practice throughout the 120,000 members of the institution, worldwide. She was also Special Adviser to the House of Commons Select Committee and a Non-executive Director, Salford Urban Regeneration Company (SURC) (2007 – 09) and has been an Executive Board Member of the Construction Industry Council (CIC) since 2009. Ann has been a Trustee of Fields in Trust since 2013.

Paul Garber is a qualified town planner with 48 years experience in development and construction. Prior to his retirement he was Group Planning Director of George Wimpey/Taylor Wimpey and a Director of GW/TW Strategic Land. His experience extends to master planning major developments throughout the UK, experience as an expert at over 600 Inquiries and providing advice to Government Agencies on design and the built environment. He was also a member of the Planning Committee of the HBF (Homebuilders Federation).

Outside his professional role he has had an extensive involvement in playing fields in the UK initially as a Trustee and Officer of the Surrey Playing Fields Association since 1978 and as a FIT Trustee since 2001. Paul also Chairs FIT's Land and Planning Committee. He was President of British Gymnastics and Vice President of European Gymnast (UEG). His other involvements in sport have included being Regional Chairman of the former Sports Council, Director of Sports Aid and a member of the Commonwealth Games Council for England. He has previously been a Team Manager for Team GB at Olympic Games.

Tim Smith is a solicitor and partner at the city law firm Berwin Leighton Paisner. He has also been a Trustee of FIT since 2010. Tim is an acknowledged expert in Planning law with over 20 years' experience. He has been voted as one of the top ten planning solicitors nationally for the last eleven years. He has also been a member of the Law Society's Planning & Environment Committee since 2009. Tim has a wide-ranging practice acting for both private and public sector clients on all aspects of Planning law.

Tim is co-author of the Institute of Environmental Management and Assessment's "Guidelines for Environmental Impact Assessment" and editor of the College of Estate Management's course-work module on Highways Law. He has also lectured extensively on the subject of Planning Law for organisations including the County Playing Fields Association, TRICS, the RTPI, the Law Society Local Government Group, the UK Green Building Council.

Appendix 5

WSP Cycle Route Concept Report

- Wisley Airfield Cycleway Route Provision Version 2 August 2016

REPORT N° XXX-XX

WISLEY AIRFIELD CYCLEWAY ROUTE PROVISION

CYCLE ROUTE CONCEPT REPORT (V2)

CONFIDENTIAL

AUGUST 2016

**WISLEY AIRFIELD CYCLEWAY
ROUTE PROVISION
CYCLE ROUTE CONCEPT REPORT (V2)**
Wisley Property Investments

Type of document (version)
Confidential

Project no: 50400934
Date: August 2016

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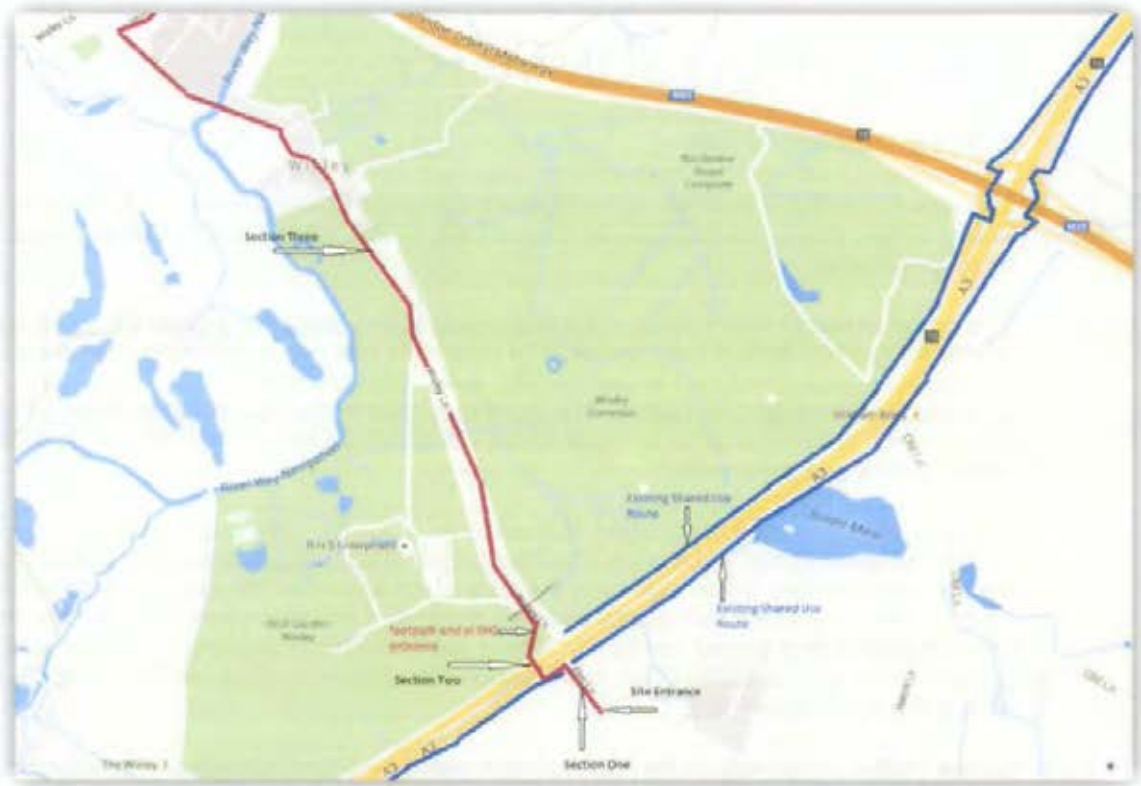
1

EXECUTIVE SUMMARY

1.1 ROUTE DESCRIPTION

- 1.1.1 This report provides a detailed review of how the proposed development of 2100 homes on Wisley Airfield could include a Non-Motorised User (NMU) link to West Byfleet and the Brooklands employment area.
- 1.1.2 This report indicates how a route, suitable for cyclists and pedestrians could be achieved between Wisley Airfield and Byfleet town centre. The proposals take into account the alterations which would be required to ensure it is user friendly, safe, direct and easy to use. Byfleet has a number of routes recommended for cyclists. The route described in this report utilises these as far as possible with preference given to those routes which include features specifically designed to assist cyclists and cycle safety.
- 1.1.3 Wisley Airfield is located south of the M25 and east of the A3. The proposed pedestrian / cycle access reviewed in this report is via Elm Lane, which is a quiet cul-de-sac with a small number of residential properties. Whilst surveying the area it was noted that the footways both sides of the A3 from Elm Lane to the M25 junction and south of Elm Lane to junction of the A3 and the B2039 are sign posted as a shared use facility. There are a number of crossing points at the signalised junction of the M25 Junction 10 on the A3 which allow NMUs heading north to travel beyond the M25 to the A245, linking to Byfleet.
- 1.1.4 On the Wisley village side of the A3 the bridge over the A3 terminates in the woodland adjacent to the RHS grounds. The footway at this point is approximately 2.0m wide consisting of type 1 stone and ends at the RHS premises entrance. RHS Wisley is currently promoting a scheme to redevelop the front-of-house and retail facilities on its site as part of a plan to increase visitor numbers from 1 million to 1.4 million per annum.
- 1.1.5 The two maps below illustrate the route and break it down into seven sections for ease of reference.

Map 1-1 Route Location Plan - Sections 1, 2 and 3



Map 1-2 Route Location Plan - Sections 4, 5, 6 and 7



2

PROJECT BACKGROUND

2.1 GENERAL

- 2.1.1 The proposed redevelopment of Wisley Airfield raised the question of connectivity to local facilities and the promoter has been in discussions with Surrey County Council (SCC) and Guildford borough Council (GBC) to establish how best to meet the concerns expressed.
- 2.1.2 Many of the routes surrounding the site are designated recommended cycle routes in the SCC cycle network but for various reasons are unsuitable for dedicated cycle route facilities. It has therefore been agreed that the promoter would investigate the potential means available to improve as far as possible a specific route identified by SCC from the site to Byfleet and Brooklands. This will provide a connection for NMUs, particularly cyclists, to a major area of local facilities and employment opportunities.
- 2.1.3 From the centre of the proposed development via Elm Lane, Wisley Lane, Muddy Lane (currently only legal when dismounted) and routes through Byfleet via Oyster Lane to Brooklands Business Park, this route is 3.2 miles long and would take circa 10-16 minutes depending on the level of cyclist.
- 2.1.4 With the improvements proposed, this route is considered to be short and direct enough for experienced commuters and "Bikeability Level 3" cyclists to be able to use it at all times of the year to reach Byfleet and Brooklands. It is also considered likely to be attractive to "Bikeability Level 2" cyclists under most conditions.
- 2.1.5 A brief description of potential improvements to the route was contained in the WSP | Parsons Brinckerhoff Transport Assessment Addendum report (TAA) dated December 2015. The purpose of this current report is to add more detail to the initial work in the TAA and provide the basis for a scheme that can be implemented by the promoter, rather than by SCC via Section 106 contributions.

2.2 MUDDY LANE

- 2.2.1 One stretch of the proposed route, Muddy Lane located south of the M25, is currently a public footpath but has been shown through information gathered by SCC to be also used as a route used by cyclists. SCC have therefore been making plans to change the status of the route to a bridleway, which would allow cyclists to use it legitimately. At present cyclists have to dismount to pass along it.
- 2.2.2 SCC's Planning and Regulatory Committee heard an application by officers on 8th June 2016 to change the status to a Bridleway. Having heard the evidence supporting the application, Members approved it. The Muddy Lane proposal is summarised as follows:

"A Definitive Map Modification Order be made to change the status of Public Footpaths Numbered 129 Byfleet, 3 Wisley (Part) and 566 Wisley to public bridleway"
- 2.2.3 Once the relevant legal Order is made by SCC, the change can come into effect.
- 2.2.4 This report notes the physical condition of the route in this location and suggests means by which it can be improved. However there are also some existing fences and gates that will need to be dealt with by SCC separately.

3

ASSESSMENT / OBSERVATIONS / FINDINGS

3.1 ROUTE SECTION ONE

ELM LANE JUNCTION WITH THE A3 SOUTHBOUND

- 3.1.1 This is a country lane providing access to a number of private dwellings at the edge of the airfield. It is understood that the intention is to leave the existing residential access as it is and prevent vehicular access to and from the new development. A suitable access to the Wisley Airfield development will be created for pedestrians and cycles only. At the junction with the A3 there is a footpath leading to a bus stop and a footbridge over the A3 to Wisley Lane.

Photograph 3-1 Elm Lane from the A3 facing the Airfield



Photograph 3-2 Elm Lane Footbridge facing south



3.2 ROUTE SECTION TWO

PEDESTRIAN BRIDGE OVER THE A3

- 3.2.1 The footbridge has long shallow steps; with risers of 200 mm and tread length of 1.5 m. The width between railings is 1.73 m and railing height is 1.0m. On the Wisley side of the bridge there is an unsurfaced footpath through the woodland to the entrance to the RHS Wisley site. Currently the footway ends at the edge of the verge with no continuation.

Map 3-1 Route Sections One and Two



Photograph 3-3 Existing footway and access to footbridge at Elm Lane



Photograph 3-4 End of Footbridge on the Wisley Side of A3



Photograph 3-5 Access to RHS Wisley, from Wisley Lane end of A3 Bridge

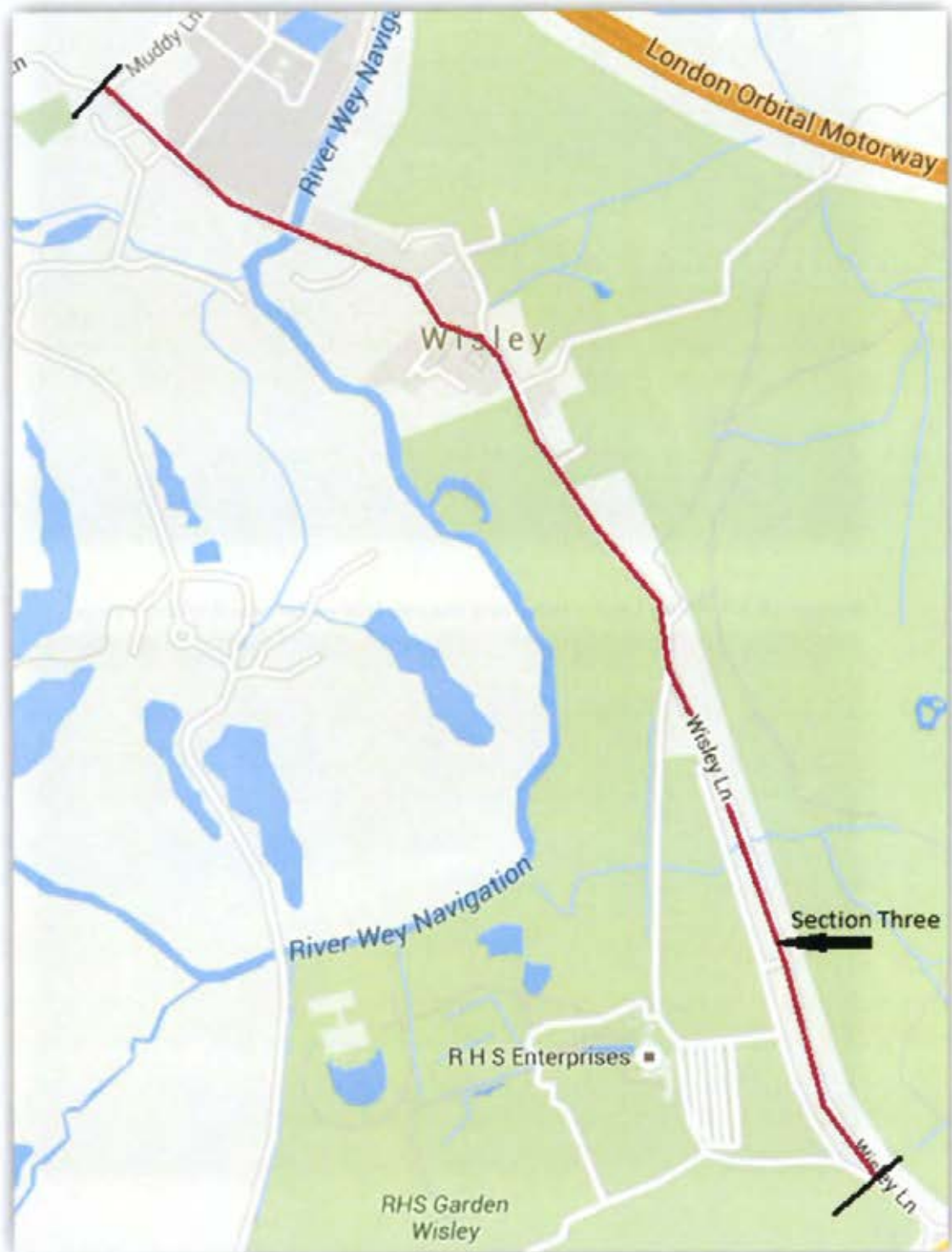


3.3 ROUTE SECTION THREE

WISLEY LANE FROM A3 TO WISLEY VILLAGE

- 3.3.1 This section of the route is a rural lane generally 6.0 m wide running partially alongside the grounds of the RHS Wisley premises and on to Wisley village. It has double yellow lines on both sides and has numerous repair patches, potholes and cracks particularly at the edges. Wisley Lane has a 40mph limit from the junction with the A3. This reduces to 30mph limit at the northern service access to RHS Wisley.
- 3.3.2 North of the RHS Wisley northern service access there is an existing footway on the western side of Wisley Lane that varies in width but stretches as far as the bridge over the River Wey Navigation.
- 3.3.3 Wisley Lane is listed as a route recommended for cyclists on the SCC website but at this time has no signage or road markings to indicate this. The route is fairly level and has good forward visibility.

Map 3-2 Extent of Section Three



Photograph 3-6 Wisley Lane looking east to A3



Photograph 3-7 Wisley Lane looking west towards RHS entrance and Wisley Village



Photograph 3-8 Wisley Lane looking south towards RHS northern service entrance



Photograph 3-9 Wisley Lane looking north at Wisley Village



Photograph 3-10

Wisley Lane looking south from Muddy Lane



3.4 ROUTE SECTION FOUR

MUDDY LANE TO SANWAY ROAD

3.4.1

Here the route leaves the carriageway and follows a public right of way. This route provides vehicular access to residential properties, however as far public access is concerned it is currently a footway, so cyclists should dismount. This route has gates restricting access and is an unmade track between Wisley Lane and the motorway underpass. At the underpass the route is alongside a stream that travels under the M25. At the underpass the name of the route changes to Sanway Road. It appears to be an old access road with metalled surface and somewhat overgrown. At one point the route crosses the stream via a small bridge and continues north until it joins the adopted section of Sanway Road. The underpass is unlit and has 2.3m head clearance at the lowest point, increasing once under the bridge.

Map 3-3 Extent of Section Four



Photograph 3-11

Muddy Lane at the M25 underpass looking north



3.5 ROUTE SECTION FIVE

SANWAY ROAD TO CHURCH ROAD

3.5.1 Sanway Road is a quiet residential street and public highway that again forms part of the recommended route for cyclists but is not formally marked or signposted as such. The road has good forward visibility up to its junction with Church Road.

Map 3-4 Extent of Section Five



Photograph 3-12 Sanway Road south end of section five looking north



3.6 ROUTE SECTION SIX

CHURCH ROAD AND BREWERY LANE TO HIGH ROAD

- 3.6.1 Having turned right out of Sanway Road on to Church Road the route follows residential streets up to a cross roads where Church Road becomes Brewery Lane. Brewery Lane continues in a northerly direction until the junction with High Road.

Map 3-5 Extent of Section Six



3.7 ROUTE SECTION SEVEN

HIGH ROAD TO A318

- 3.7.1 At the point where High Road meets Oyster Lane there is a roundabout which if followed northbound, links with the A245 junction. This is also a roundabout junction with Zebra Crossings making it easy for pedestrians to cross over the A245. Oyster Lane continues on the opposite side of the roundabout and at this point it is a residential street with traffic calming. Within the traffic calming there are specific facilities for cyclists. At the northern end of Oyster Lane at the junction with the A318 there are dedicated cyclist facilities (cycle lane markings and toucan crossings allowing cyclists access into the commercial district of Byfleet. An additional part of section seven

has been requested by SCC, between the A245/Oyster Lane Roundabout and the A245/Chertsey Road Roundabout to the west. At present, there is a footway connecting these roundabouts, on the southern side of the A245.

Map 3-6 **Extent of Section Seven**



Photograph 3-13

Oyster Lane traffic calming with existing cycle facilities



Photograph 3-14

Oyster Lane north, Cycleway crossing at A318, Byfleet



4

PROPOSED IMPROVEMENTS

- 4.1.1 In this chapter, appropriate improvements for each section of the route are proposed having regard to the existing nature of the surrounding environment.

SECTION ONE

- 4.1.2 It is proposed that Elm Lane be retained for use by residents in Elm Corner and pedestrians and cyclists accessing the Airfield development. No access for vehicles will be permitted to the Airfield development.
- 4.1.3 This NMU (Non-Motorised User) route is to be marked with the placing of 'recommended cycle route signs' (Dia 967) and appropriate direction signs. At the junction of Elm Lane and the A3 it is proposed that a dropped kerb with appropriate road markings leading to a surfaced area be provided at the end of the pedestrian overbridge. This will provide an area for cyclists to move off the carriageway to an area where they can dismount. Drawing 0934/SK/042-B shows the proposal.
- 4.1.4 At the access point to the bridge a Cyclist Dismount sign (Dia 966) is to be used. A railing around the bell mouth of Elm Lane to provide some protection for users leaving the footbridge should also be considered.
- 4.1.5 The photograph below shows the area of highway land upon which the cyclists would dismount before using the footbridge.

Photograph 4-1 Location for improvements to highway verge



SECTION TWO

- 4.1.6 The current parapet height on the bridge of 1.0m is acceptable for pedestrian bridges and as it is proposed to retain this use and have cyclists dismount, this is considered to be acceptable. Signs reinforcing this would need to be installed on the bridge ramps.
- 4.1.7 In order to assist cyclists to deal with the shallow steps, it is proposed that a strip on one side of the steps be adapted to accommodate a channel suitable for wheeling cycles on. This will facilitate people wishing to take cycles across the bridge but not encourage riding over it. Such a measure has been used in other similar situations and is preferable to a retro-fitted ramp on the existing steps, which could encourage cyclists riding down the ramp and potentially causing issues for themselves and other users.
- 4.1.8 On the Wisley side of the bridge, minor improvement works to formalise the end of the footway adjacent to RHS premises entrance could be carried out to ensure a safe crossing point to allow cyclists to join Wisley Lane. Measures (such as road markings and a small amount of kerbing which clearly define the end of the footpath and formalise the junction / entrance to the RHS gardens would assist in making the crossing point more user friendly without urbanising the area. Drawing 0934/SK/044-A shows the proposal.
- 4.1.9 Should the RHS site alter the access road into the Gardens, or incorporate a cycle route off Wisley Lane as part of its major redevelopment proposals, these works would incorporate the appropriate signing and road markings to allow cyclists safe passage along the route.

SECTION THREE

- 4.1.10 This section can be upgraded in 3 distinct sections.
- 4.1.11 The first section is through the upgrading and realignment of the existing right of way through the RHS Wisley site, or the creation of a new shared cycleway/footway through the site. These facilities have been requested by SCC as part of the planning application by RHS Wisley to increase its front of house and retail facilities so that it can increase visitor numbers from 1m pa to 1.4m per annum.
- 4.1.12 The second section is north of the northern service road into the RHS Wisley site up to the bridge over the River Wey Navigation. It is proposed to widen the existing footway to 2m metres where possible and upgrade it to a shared cycleway/footway. This will be accompanied by all the required signs and road markings to indicate shared use and priorities at minor junctions.
- 4.1.13 The third part of the route is a rural lane through the village of Wisley itself, where the speed limit is 30mph. However, the carriageway is narrow, being a minimum of 4.3m wide here, so drivers have to exercise caution when passing other vehicles. It is therefore considered that the appropriate solution is an advisory on-carriageway cycle route, so it is proposed to use sign dia. 967 to indicate this is a recommended route for cyclists. In addition to the signs, the road marking Dia. 1057 should also be used. These measures would jointly increase awareness in drivers to the potential presence of cyclists on the carriageway.
- 4.1.14 Drawings 0934/SK/46-A to 0934/SK/48-A show the proposals for this section.
- 4.1.15 It may also be possible to implement a variation of a scheme approved by SCC in the past at a site in Frensham, near Farnham, where a portion of the carriageway is highlighted in a contrasting colour along the length of road in question and supplemented with gateway feature road markings to raise awareness of the potential presence of cyclists and pedestrians. A variation of the scheme along these lines is shown in the drawing 0934/SK/049-A.
- 4.1.16 The carriageway is in need of repair, particularly the edges. Patching in line with the standards normally applied by SCC will help ensure the route is safe for cycles.

SECTION FOUR

- 4.1.17 This section is along an unmade road and currently requires cyclists to dismount. However, as set out in Chapter 2, the decision to amend the status of Muddy Lane has been made by SCC. Once implemented, it is recommended that a finger post sign (See TSR&GD sign table 8 schedule 12 part 2 para.8 A & B) is used to direct route users that this is the direction they should follow. As part of its implementation, improvements will also be required to the various gates along the route to allow the passage of cyclists and verges/hedges will need to be cut back to provide sufficient width.
- 4.1.18 The surfacing material is considered suitable for in-situ recycling and consolidation potentially using Fibredec, a method adopted widely by SCC on cycle routes when a more hard wearing but environmentally acceptable path is required.
- 4.1.19 At the M25 underpass, edge lines would help cyclists to stay on the route. An appropriate level of lighting of the underpass would also be beneficial and should be pursued with SCC and Highways England. The existing M25 is lit here and therefore it may be possible to provide an electrical supply spur to enable this. Notwithstanding the status of the route as a public right of way, some of the improvement works proposed are likely to have to be undertaken by the local authority owing to the various land ownerships along this section of the route.

Photograph 4-2 M25 underpass looking south



4.1.20

At the stream crossing on the north side of the M25 underpass, the existing key clamp guard rails should be replaced and extended with an appropriate cycle-safe hazard protection system. See photos below which highlight the existing hazard. Drawing 0934/SK/041-A shows the proposal.

Photograph 4-3 Sanway Road River Crossing 1 of 2



Photograph 4-4 Sanway Road River Crossing 2 of 2

Stream unprotected on one side and route overgrown.



SECTION FIVE

- 4.1.21 Once back on the adopted residential roads the presence and direction of the route would be indicated using sign DIA 967 including finger post direction signs at junctions and, where appropriate, road markings. Street lighting is present from this point on the route.

SECTION SIX

- 4.1.22 Church Road and Brewery Lane are quiet residential roads with street-lighting, verges and footways. There are no difficult junctions to negotiate. The short section of High Road is urban and ends at a mini roundabout. This roundabout has pedestrian refuges on all approaches to assist less confident NMU's crossing the junction into Oyster Lane.
- 4.1.23 On-road cycle route markings to indicate the route cyclists should be implemented at this location. Finger post signs appropriate for cycle routes should also be implemented to ensure cyclists remain on the desired route, with direction signs at the junction of Brewery Lane and High Road indicating the routes to Wisley and Byfleet.

SECTION SEVEN

- 4.1.24 Direction signs should be used at the junction of High Road and Oyster Lane again indicating the routes to Wisley and Byfleet. The first section of Oyster Lane ends at the roundabout junction with the A245.
- 4.1.25 The existing crossing facilities at this junction are not designed for use by cyclists whilst mounted. It is considered appropriate to introduce shared-use facilities in the form of tiger crossings.
- 4.1.26 The current proposal shown on Drawing 0934/SK/43-D is to:-
- replace the existing zebra crossing west of the roundabout with a tiger crossing in two sections,
 - to move the existing informal crossing point of the eastern arm to the west, and convert it to a tiger crossing in two sections;
 - Provide slip lanes from the carriageway on to the footways; and
 - Widen and convert the appropriate lengths of existing footways to shared-use footway/cycleway.
- 4.1.27 Further discussions with SCC will be required to refine the detailed design adopted at this location but it is considered that the current proposals represent the most appropriate improvements to assist the less experienced cyclists at this busy location.
- 4.1.28 Once across the A245 users can then be returned to Oyster Lane. The route continues north along Oyster Lane. From the junction with the A245 heading north, Oyster Lane is a traffic-calmed and lit residential street. Many of the calming features have accommodation for cyclists in the form of bypass features. At the northern-most point, Oyster Lane becomes a one way system with the southbound side closed off and converted into a dedicated cycle route leading to Toucan crossings which cross over the A318 to link to the commercial area beyond. Between the A245 and A318, Oyster Lane would not require further work.
- 4.1.29 An additional improvement as part of section seven has been requested by SCC and detailed on Drawing 0934-SK-055-B. This improvement concentrates on a section of the A245 between the Oyster Lane Roundabout and the A245/Chertsey Road roundabout to the west and involves:
- widening the existing footway to 3.0m to create a shared footway/cycleway;

- a new tiger crossing at the location of the existing zebra crossing at the A245/Chertsey Road roundabout; and
- A connection north of the A245/Chertsey Road roundabout to the existing shared footway/cycleway along the A245.

Photograph 4-5 Northbound zebra crossing of A245



Photograph 4-6 South bound access point to A245 Crossing



Photograph 4-7 South bound uncontrolled crossing of A245



BIBLIOGRAPHY

- Sign and Road marking diagram numbers used in this report sourced from the TSR & GD 2016 manual.
- Maps used in this report sourced from Google Maps 2015.
- Photographs numbered 3-12, 3-13, 4-6 and 4-7 sourced from Google Maps street view 2015.

Appendix A

LIST OF RECOMMENDED WORKS BY SECTION

WISLEY AIRFIELD DEVELOPMENT

CYCLE ROUTE FACILITIES

LIST OF RECOMMENDED WORKS BY SECTION

Section One

Alter Elm Lane entrance to the airfield to restrict it to pedestrian and cycle access only

Install Dia.1057 road marking and Dia. 967 sign adjacent to airfield end (start of route)

Install Dia.1057 road marking, Dia. 967 sign and 'END' marking at Elm Road / A3 junction

Install dropped kerb and surfaced area for cyclists to ride on to either access the existing shared use route or dismount to be able to wheel their cycle over the footbridge.

Install Dia.966 Cyclists Dismount sign at start point of the footbridge

Install pedestrian railing on the footway opposite the end of the footbridge.

Section Two

Install a modification to provide ramps over the bridge steps so as to allow cycles to be wheeled over the bridge

At end of footway adjacent to RHS entrance reinstate verge install kerbing and road markings to formalise the end of the footway and RHS entrance.

Install appropriate cycle route direction sign (finger post type) with Dia.1057 road marking

Section Three

Work with RHS Wisley and Surrey CC on the provision of a cycle route through the RHS Wisley Site.

Widen the existing footway to 2m wherever possible and upgrade to shared cycleway/footway

Install Dia.1057 along Wisley Lane through the village from River Wey Navigation to Muddy Lane to create an advisory cycle route. Sign Dia. 967 should also be used. Efforts should be made to combine the new sign plate with existing sign to avoid creating sign clutter.

Install appropriate cycle route direction sign (finger post type) with Dia.1057 road marking at the junction of Wisley Lane and Muddy Lane.

Section Four

Muddy Lane has recently been subject to a status change therefore works on this section will depend upon what upgrade work has been undertaken by the local authority.

Access gates need to be changed / removed

Underpass at the M25 requires lighting

Consolidate the path surfacing by insitu recycling, once Order to convert to bridleway complete

Guard railings required at the river bridge

General verge / hedge cut back maintenance required.

Section Five

Install appropriate cycle route direction sign (finger post type) with Dia.1057 road marking at the junction of Sanway Road adjacent to the church yard and recreation ground.

Install appropriate cycle route direction sign (finger post type) with Dia.1057 road marking at the junction of Sanway Road and Church Road.

Install appropriate cycle route direction sign (finger post type) with Dia.1057 road marking at the junction of Church Road and Brewery Lane.

Section Six

Install appropriate cycle route direction sign (finger post type) with Dia.1057 road marking at the junction of Brewery Lane and High Road

Install appropriate cycle route direction sign (finger post type) with Dia.1057 road marking at the junction of High Road and Oyster Lane.

Replace the existing zebra crossing west of the roundabout with a tiger crossing in two parts;

Move the existing informal crossing point of the eastern arm to the west, and convert it to a tiger crossing in two parts;

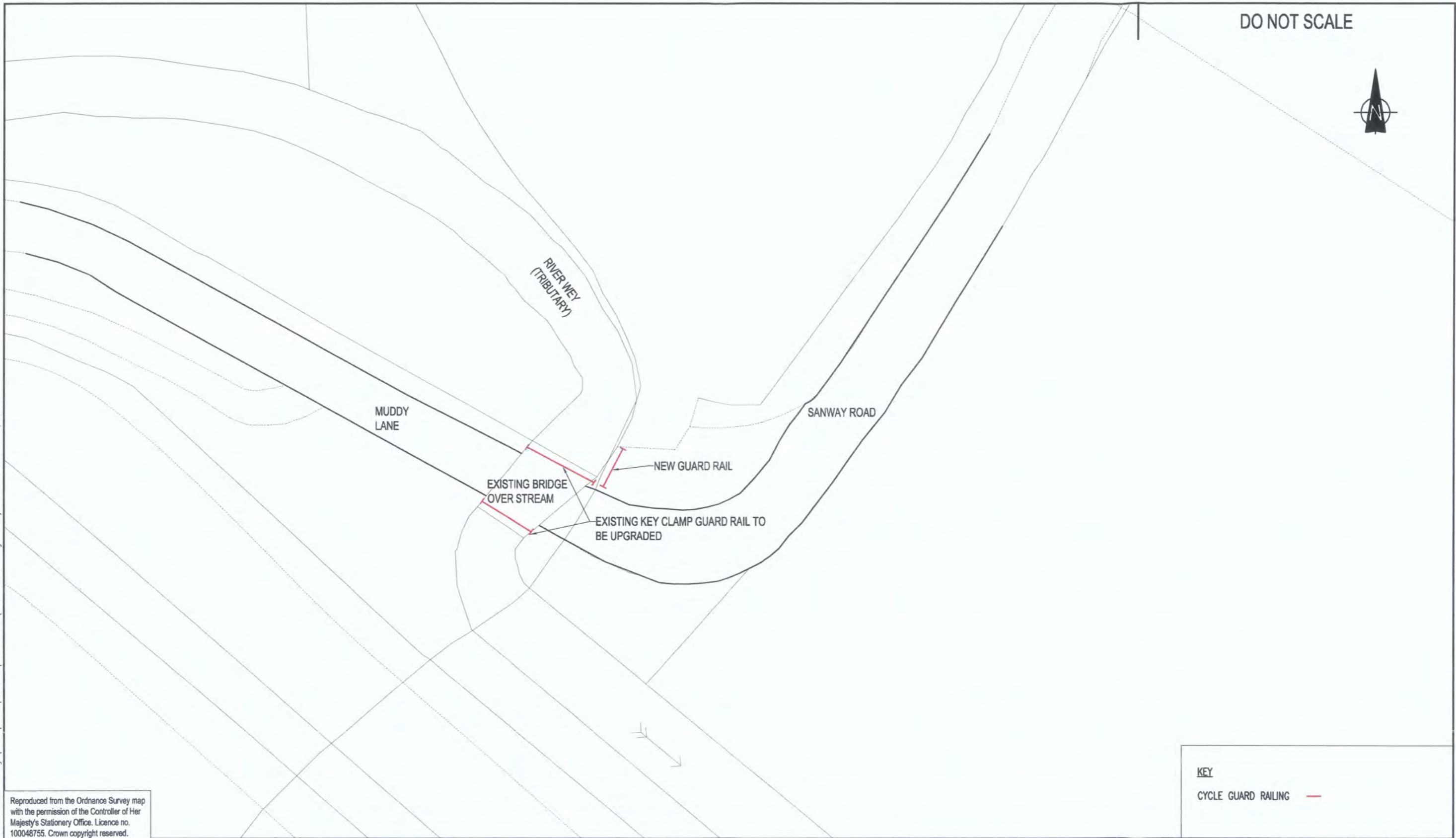
Provide slip lanes from the carriageway on to the footways; and

Widen and convert the appropriate lengths of existing footways to shared-use footway/cycleway.

Section Seven

Cycle route facilities already in place no further works required.

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KEY	
CYCLE GUARD RAILING	—

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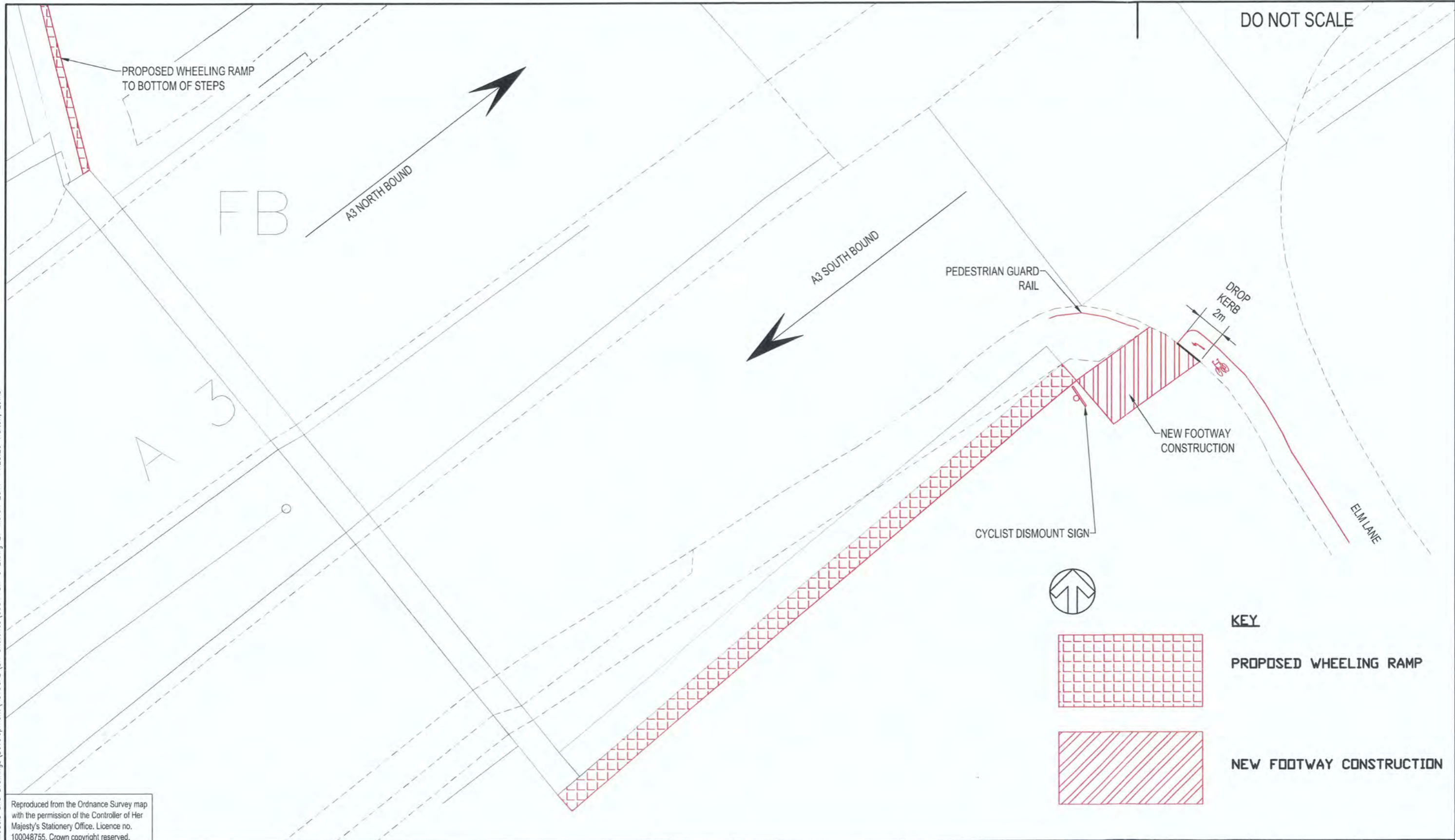
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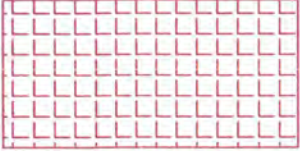

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KEY

-  **PROPOSED WHEELING RAMP**
-  **NEW FOOTWAY CONSTRUCTION**

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SK-055

90m FORWARD VISIBILITY TO POTENTIAL BELISHA BEACON

90m FORWARD VISIBILITY

PROPOSED TIGER CROSSING

PARVIS ROAD

EXISTING ISLAND EXTENDED

EXISTING CROSSINGS TO RETAINED

WIDEN FOOTWAY OVER THE VERGE TO BE SHARED USED

SHARED USE SIGN

OYSTER LANE

DROP KERB

MOVE SIGN

WIDEN FOOTWAY OVER THE VERGE TO BE SHARED USED

EXISTING DROP KERB

SHARED USE SIGN

SPLITTER ISLAND PROVIDED

PARVIS ROAD

EXISTING CROSSING POINT TO BE CLOSED

SHARED USE SIGN ON LAMP COLUMN

EXISTING DROP KERB

PRIVATE DRIVEWAY

SHARED USE SIGN

OYSTER LANE

KEY

 NEW NMU ROUTE

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C	11/04/17	LEW	RSA 1 RESPONSE	DDP	CM
B	06/02/17	RJM	PEDESTRIAN CROSSING UPDATED	DDP	CM
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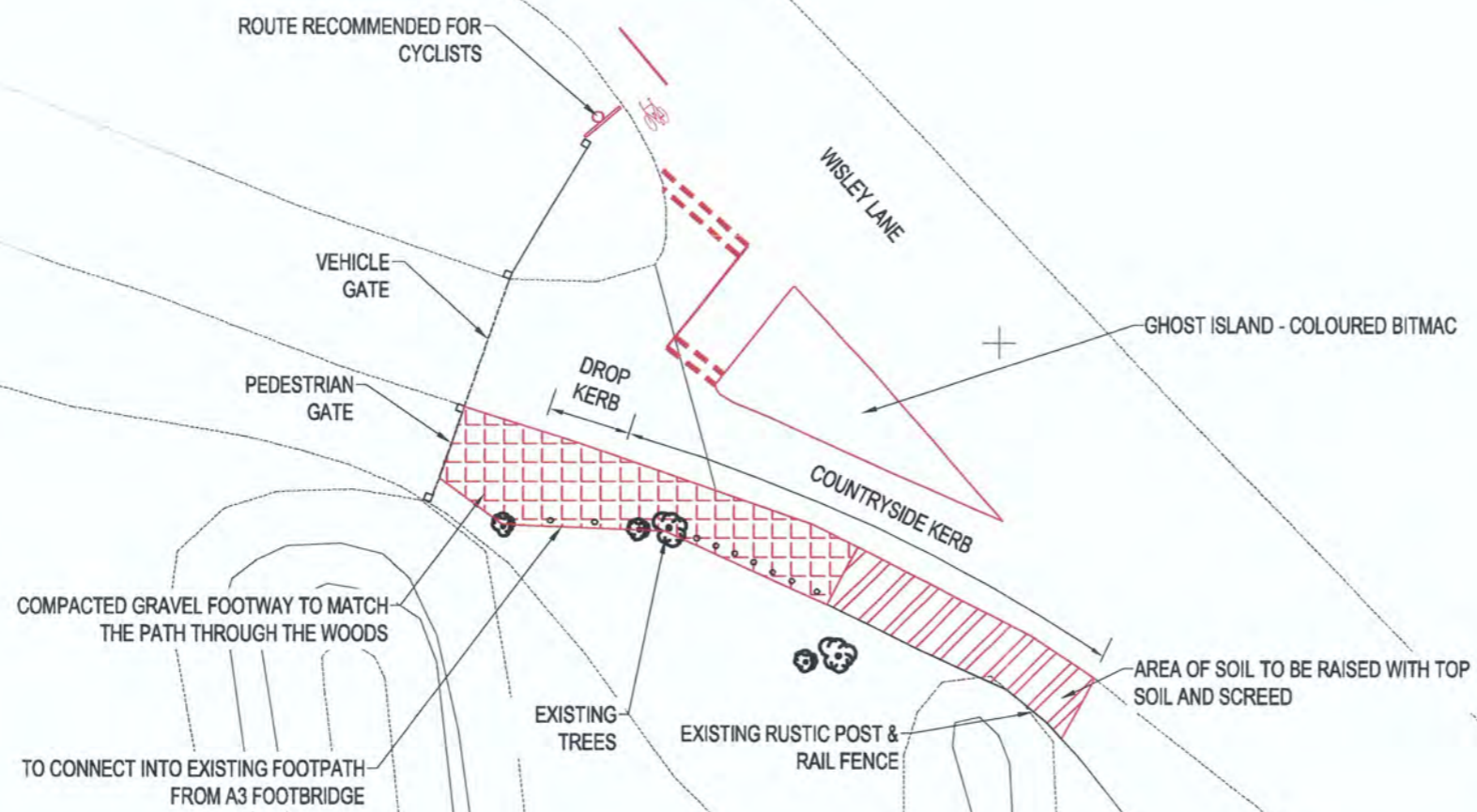
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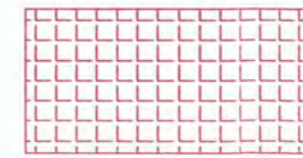
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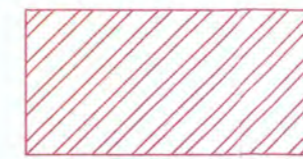
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KEY



COMPACTED GRAVEL FOOTWAY TO MATCH THE PATH THROUGH THE WOODS



AREA OF SOIL TO BE RAISED WITH TOP SOIL AND SCREED

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KEY

Existing brideway to be resurfaced

TO UNDERPASS BENEATH M25
CONNECTING TO BYFLEET

MUDDY LANE

Muddy Lane to be hard surfaced using in situ recycling or Fibredec to provide bound cycletrack surfacing

Start of Brideway (previously FP 566) along Muddy Lane

Cyclists to rejoin carriageway

CYCLISTS REJOIN CARRIAGEWAY

On-carriageway advisory cycle route.
On road markings to be provided to indicate presence of cyclists.

On-carriageway advisory cycle route.
On road markings to be provided to indicate presence of cyclists.

Carriageway width approximately 4.3m wide at narrowest points,
bounded by mature hedgerow on both sides.

WISLEY LANE

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WISLEY LANE PROPOSED CYCLE ROUTE
- LAYOUT 1 OF 3

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KEY

 2m wide shared pedestrian and cycle path to be provided (localised width changes potentially required where indicated)



On-carriageway advisory cycle route.
On road markings to be provided to indicate presence of cyclists.

Cyclists travelling west to rejoin carriageway

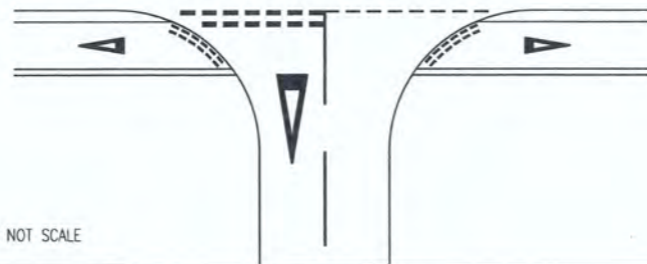
CYCLISTS REJOIN CARRIAGEWAY

Signage to indicate shared pedestrian and cycle path for those travelling east



Proposed shared facility to accommodate utility columns adjacent to footway

All crossing points along shared pedestrian and cycle path to include give way markings for cyclists and tactile paving arranged in a similar manner to those indicated below:



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KEY

-  2m wide shared pedestrian and cycle path to be provided (localised width changes potentially required where indicated)
-  Indicative alignment of cycle route through RHS Wisley

Tree trunk restricting width of proposed shared facility locally to 1.5m

Shared pedestrian and cycle path signage



Widening of existing path to tie in with route through RHS Wisley.

Indicative alignment of cycle route to be provided as part of RHS Wisley planning application. Scheme to run parallel with Wisley Lane through Car park.

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TITLE: WISLEY LANE PROPOSED CYCLE ROUTE - LAYOUT 3 OF 3

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PROJECT No: 50400934	DRAWING No: 0934-SK-048	REV: A

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DO NOT SCALE

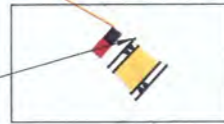
KEY

- Proposed circa 1.0m wide green surfaced pedestrian area
- Existing bridleway to be resurfaced
- Proposed 2m wide shared pedestrian and cycle path
- 43m stopping sight distance for 30mph

Proposed sign



See inset 1



Cyclists to rejoin carriageway

CYCLISTS REJOIN CARRIAGEWAY

On-carriageway advisory cycle route. On road markings to be provided to indicate presence of cyclists.

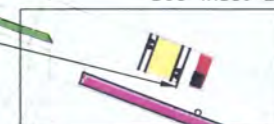
Carriageway width approximately 4.3m wide at narrowest points, bounded by mature hedgerow on both sides.

WISLEY LANE

Proposed sign



See inset 2



Inset 1

DO NOT SCALE

Proposed 'SLOW' carriageway marking and red surfacing

Proposed non-raised gateway feature

Inset 2

DO NOT SCALE

Proposed non-raised gateway feature

Proposed 'SLOW' carriageway marking and red surfacing

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A	19/08/2016	HLB	ISSUED FOR INFORMATION	DD	CM

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CLIENT: WISLEY PROPERTY INVESTMENTS LTD
PROJECT: WISLEY AIRFIELD

ARCHITECT: FIELDEN CLEGG BRADLEY STUDIOS
TITLE: WISLEY LANE ALTERNATIVE NON-MOTORISED USER ROUTE

SCALE @ A3: 1:1250
CHECKED: DD
APPROVED: CM
CAD FILE: 0934-SK-049.DWG
DESIGN-DRAWN: HLB
DATE: August 16

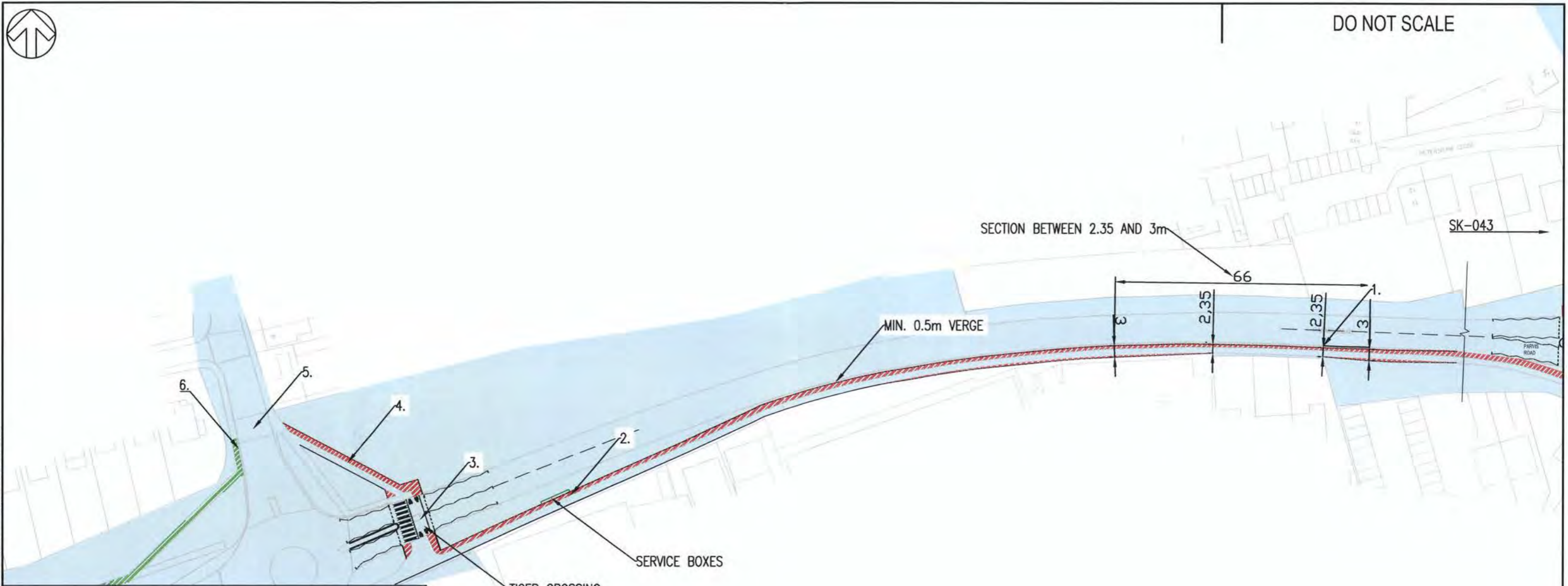
PROJECT No: 50400934
DRAWING No: 0934-SK-049
REV: A

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DO NOT SCALE



KEY

- EXTENT OF WIDENING REQUIRED FOR NEW NMU ROUTE (3m WIDE UNLESS SHOWN OTHERWISE)
- EXISTING SHARED FOOTWAY / CYCLEWAY
- SERVICE BOXES
- ADOPTED HIGHWAY

NOTE:

1. THIS CONCEPT DRAWING IS PRODUCED WITHIN THE SCOPE OF OUR CLIENT BRIEF. UNDER THE CDM REGULATIONS, BASED ON THE INFORMATION AVAILABLE TO THE DESIGNER AT THE DATE BELOW, NO RESIDUAL RISKS HAVE BEEN IDENTIFIED. SHOULD THIS CONCEPT DRAWING ADVANCE TO THE PRELIMINARY DESIGN STAGE, THE DESIGNER WILL BE RESPONSIBLE FOR ENSURING THAT ADEQUATE INFORMATION IS ACQUIRED TO UNDERTAKE A MORE THOROUGH ASSESSMENT IN ACCORDANCE WITH THE REGULATIONS.

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REV	DATE	BY	DESCRIPTION	CHK	APD
B	27/03/2017	LEW	AMENDED FOLLOWING RSA1	DDD	CM
A	14/02/2017	RJM	FIRST ISSUE	DDD	CM

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CLIENT: WISLEY PROPERTY INVESTMENTS LTD

ARCHITECT: FIELDEN CLEGG BRADLEY STUDIOS

PROJECT: WISLEY AIRFIELD, SURREY

TITLE: A245 SHARED PEDESTRIAN / CYCLEWAY CONNECTION

SCALE @ A3: 1:1000	CHECKED: DDD	APPROVED: CM
CAD FILE: 0934-SK-055.DWG	DESIGN-DRAWN: RJM	DATE: January 17
PROJECT No: 50400934	DRAWING No: 0934-SK-055	REV: B

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Appendix 6

WACT Documentation

- Part 1: Draft Outline Business Plan (including the WACT Framework dated 3 March 2017 at Appendix B)
- Part 2: Draft Articles of Association
- Part 3: Draft Implementation Agreement



Draft (v4.6)

**WISLEY AIRFIELD
COMMUNITY TRUST**

**Outline Business Plan
2019 – 2035**

October, 2017

Prepared for Wisley Property Investments Ltd

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- A. Relevant Case Examples
- B. WACT Framework Document
- C. Indicative Cashflows for Community Trust

Acknowledgements

This outline Business Plan for a Community Trust to be set up as a feature within the proposed development at Wisley Airfield is the product of ideas and discussion with a variety of people with a stake in the development. This outline Business Plan is the second stage of the process designed to set out what the Trust will do and the principles underpinning its development, governance, operation, and financial sustainability. If the development secures planning approval, a full Business Plan will be produced which will contain more details on how the Trust will be taken forward.

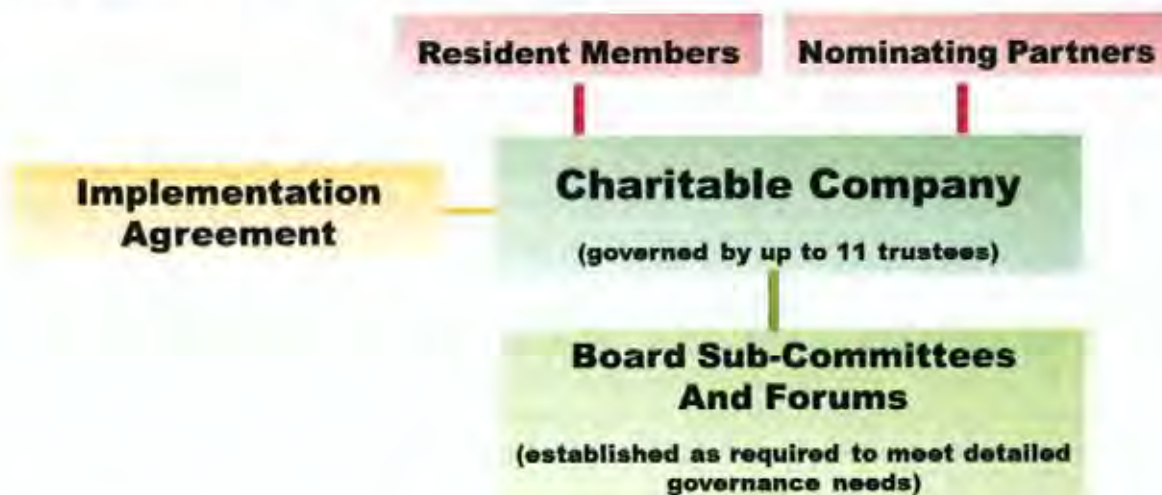
Mark Patchett
August, 2017

Summary

- a) This outline Business Plan has been written at the request of Wisley Property Investments Ltd who propose to develop up to 2,068 homes along with related commercial and community facilities at Wisley Airfield. *(Section 1.1)*
- b) There are circa 50ha of Suitable Area of Natural Greenspace (SANG) which will be created, enhanced and safeguarded as public open space, along with community and leisure facilities, which will require sustained management and investment to ensure that they remain "well equipped and excellently maintained". There will also be frequent bus transport services which may require resilience funding to be provided in perpetuity to ensure sustained viability and affordability. *(Section 1.1)*
- c) The developers wish to see a locally managed organisation able to maintain the public assets for collective benefit with local participative governance, whilst also being able to take initiative to plan and support community development activities designed to build a sense of community amongst the local residents. *(Section 1.1)*
- d) A Community Trust has been deemed the most appropriate solution to ensure the long term quality management of the SANG, to ensure the long term provision of bus resilience funding, and to own and manage the new Village Hall and other community facilities. *(Section 1.2)*
- e) This outline Business Plan sets out the initial vision, aims and activities of the proposed Trust, underpinned by the development of an appropriate infrastructure to include a Board of trustees, financial endowment, and staffing that will provide the platform and mandate to develop a sustainable programme over the next ten years and beyond. *(Section 1.4)*
- f) The key principle is that the Trust is a viable social enterprise, but also has the capacity to grow and develop according to the needs of partners and the community, as opportunities present themselves.
- g) The roles and responsibilities of the Community Trust are set within the context of the vision statement for Wisley Airfield: *"to create a beautiful and enduring place; with spaces for attractive streets, gardens and squares; space to grow own food; imaginative and innovative play spaces; and open spaces to engage with the wider countryside and immerse oneself in nature"*. *(Section 2.1)*
- h) The principal aims and related activity areas of the Trust are defined in the proposed seven charitable objects. *(Section 4.1)*
- i) Wisley Property Investments Ltd propose to establish and resource the new Trust, named Wisley Airfield Community Trust. The associated trustees are, in the short term, appointments made by WIP during the first few years whilst the Airfield is being

built out, together with those nominated by the Councils and specialist environmental/ecology and transport agencies. (Section 4.1)

- j) The model of a charitable limited company has been chosen for the Trust as it provides a sufficiently robust but dynamic organisation structure with the necessary legal framework for the ownership of assets and responsibility for resources, whilst also ensuring strong management and accountability for service delivery and demonstrable public benefit. The governance of the Community Trust will operate at four levels (Section 4):



- k) Successful engagement of the surrounding existing and new local residents and other stakeholders will be fundamental to the success of the Trust. This will be achieved through building on the community engagement strategy, clear branding of all activities and communication, newsletter, website, personal introductions, presentations and active participation in the Trust's activity programme.
- l) The Trust Board will focus on the tasks to be achieved, and determine the best way to achieve them at each stage of its development. It is likely that over the approx. fifteen year development period for Wisley Airfield, that the Trust will evolve through a combination of commissioning other partners supplemented by specialist support, leading eventually to a combination of own staff and service partners operating through service level agreements. (Section 5.1)
- m) A financial model has been prepared designed to ensure financial self-sufficiency in the long term through income derived from the endowed community facilities and an annual levy from residents of Wisley Airfield. The Trust will be underpinned in the early years with revenue and start-up funding through contributions from WPIL. (Section 6)

- n) In the first few years, whilst the houses are being built, required levels of grant support will be drawn down from the developers to meet the Trust's development and operating costs. The principles underpinning the financial model are, therefore:
- i) For WPIL to provide initial start-up funding, and sufficient revenue resources to underpin all operating costs and liabilities until the Trust becomes self-sustaining;
 - ii) For provision to be made in relevant legal documentation for a charge to be made on all dwellings to contribute towards the Trust and its objectives;
 - iii) For the Trust to be endowed with suitable income generating assets and/or financial endowment to generate sufficient income to meet its liabilities
- In addition it is also proposed that office, and/or "touchdown space" will be provided for the Ranger and the Warden, and also for the use of Surrey Police community policing team. (*Section 6.1*)
- o) As the Community Trust becomes established, it will have a number of day to day operational issues that it will need to consider and manage. These will largely evolve in response to the changing circumstance, but will include insurance, policies and procedures, and office and equipment, and will need to be planned and managed. (*Section 7*)
- p) Marketing and promotion of the Community Trust and its activities are fundamental to its success, The Trust communication and engagement strategy will be prepared early in its formation as part of the detailed Business Planning process and will encompass website, social media, printed formats and other communication tools. (*Section 8*)
- q) A schedule of short-term objectives and priority milestones have been set out for the Board and partners, designed to take this outline Business Plan forward if approval is given. (*Section 9*)

1. Introduction

1.1 BACKGROUND AND CONTEXT

A new settlement is proposed for Wisley Airfield of up to 2068 homes along with a care home and Gypsy/Traveller Pitches and ancillary facilities including a school, retail and business premises, sports infrastructure and green open space.

This new settlement and its public facilities will require a range of ownership and management structures to ensure that the whole area is maintained to a high standard both during the development and beyond. This outline Business Plan sets out the principles for a new Community Trust for Wisley Airfield designed to own and resource the c.50ha of Suitable Area of Natural Greenspace ("SANG") for public benefit, to provide support for the long term bus service linking Wisley Airfield with local railway stations and service centres, to own and operate the community assets, and to provide for community development activities to ensure a thriving community.

The context is to achieve a sustainable community, described within the Egan Review (2004) as:

'Sustainable communities meet the diverse needs of existing and future residents, their children and other users, contribute to a high quality of life and provide opportunity and choice. They achieve this in ways that make effective use of natural resources, enhance the environment, promote social cohesion and inclusion and strengthen economic prosperity'.

This proposal for a Community Trust is set firmly within the context of delivering a "sustainable community", and recognises that initiative is required to address each of the necessary attributes.

1.2 COMMUNITY TRUSTS

One of the key means to achieve a number of these essential components, particularly local participative governance, is through the creation of a local Community Trust. Community Trusts are independent not for profit organisations (usually with charitable status) which aim to respond to local needs, and are intended to bring about social, economic and environmental benefits to the communities they serve. They are regarded as community enterprises, which means that they:

- are community-led organisations
- adopt a self-help ethos, working in partnership but avoiding dependency
- adopt an enterprise approach to achieve philanthropic and social benefits
- trade for social purpose, and surpluses are reinvested in further enterprise development and for community benefit.

- seek community ownership of buildings, land and other assets to build business capacity and achieve community goals.

Community Trusts are bespoke to their local circumstances, but mostly conform to a series of values as set out by Locality (formerly the Trust Association), the national membership body, which:

- believes in encouraging and supporting people to take responsibility for their own communities
- stands for accountability to local people, as well as collective action and partnership
- recognises the diversity that exists within communities and regard this as a source of strength
- values sustainable development, which addresses the economic, environmental and social needs of a community, and which involves the creation of wealth for communities by communities.

Through consultation with primary stakeholders, and drawing on the research gathered through the masterplanning process for the Wisley Airfield development, this outline Business Plan has been prepared for the proposed Trust.

1.3 KEY DRIVERS

Wisley Airfield will contain a significant amount of Green Infrastructure and also has a number of other unique characteristics which bring challenges to manage the Green Infrastructure and community facilities using customary models, but in turn provide an opportunity to manage things using an alternative model. There are four main drivers which set the framework to setting up of a long term sustainable management structure, namely:

- a) From the developers to have an organisation with clear responsibility for owning and managing the public land and facilities to a high standard, and also to support the creation of a new distinct community (Placemaking).
- b) From the Borough Council to agree a sustainable and economically viable solution for the management arrangements for open space and hardscape areas, and particularly the SANG areas.
- c) To have an organisation with the responsibility to ensure the sustainability of a viable and affordable local bus service.
- d) To have an organisation with the responsibility to take initiative to plan and support community development activities designed to build a sense of community.

Given the scale and nature of the development, there is also a mutually agreed requirement to see a high quality built environment within Wisley Airfield that is maintained to a high standard beyond the development phase. Each of these options were considered in the context of a range of criteria which included:

- Remit: legal, political, and perceived
- Scale of liabilities
- Organisational and financial capacity and track record
- Tax benefits
- Views and intentions of existing organisations

The establishment of a Community Trust is the most appropriate solution as long as it works effectively alongside and with other existing organisations, and is clearly and democratically accountable.

This outline Business Plan is intended to support the planning application with a clear view on the role and activities of the proposed Trust, its development and sustainability along with the issues and risks associated, and to provide an action plan to proceed, culminating in some examples of how similar issues have been worked out from experience elsewhere.

1.4 PURPOSE AND PARAMETERS OF THIS OUTLINE BUSINESS PLAN

This outline Business Plan has been written principally for Wisley Property Investments Ltd, but is also intended to inform discussion with the development partners and key stakeholders including local Councils and potential delivery partners. Its intention is to set out the vision, aims and activities of the proposed Trust, and the main principles behind its governance, financial and operational plans to assist the partners and other stakeholders in their understanding and planning of the Community Trust.

This outline Plan will provide the platform and mandate to then develop a more comprehensive activity programme, along with related partnerships, budgets and management structures, which will be set out in a detailed and full Business Plan.

1.5 STRATEGIC ISSUES ARISING FOR BUSINESS PLAN

The key strategic issues arising that will impact on the Community Trust and therefore the Business Plan are:

1.5.1 Public Benefit

The services and facilities are intended primarily for the benefit of residents of and visitors to Wisley Airfield and the neighbouring SANG area. Nevertheless, it is intended that the development should integrate with surrounding communities through the use of open space, which currently serve a wider catchment.

1.5.2 The Development Timetable

The projected time scale for the development of Wisley Airfield is forecast to be approximately fifteen years. This will necessitate careful planning of the provision of facilities and services to ensure the needs of the growing community are met, the expectations of residents and other stakeholders are managed, whilst also ensuring viability of the Trust's programme as it meets its early commitments with regard to bus subsidy and SANG management. The Trust will need to ensure that interest is maintained whilst the infrastructure is being put in place, and that revenue expenditure on staffing and overheads is controlled whilst it becomes established.

1.5.3 Evolution of Activity Programme

The nature and breadth of the Trust's activities from the potential menu of services (see section 2.3) will require agreement. There will be a need and expectation to plan for some "early successes" to profile the Trust with the first new residents and existing agencies, and to lay the foundations for longer term partnerships. It will also be vital for the activities to respond to the needs of the community and other stakeholders as facilities come on stream, resources secured, and residents become engaged.

The Trust will need to maintain a balanced programme that responds to gaps, needs and interests of the various stakeholders, but also plays to the Trust's strengths. More development work will be required to scope and plan for a more comprehensive programme of activities when the Trust is established to ensure that it meets the various objectives and is sustained in the long term, which will be the focus of the full Business Plan.

1.5.4 Financial Sustainability

The Trust has to be viable in the long term. To be viable, it will need to ensure that the revenue to be generated from the endowment and the community facilities, as well as other sources, is enough to sustain it and to cover the operating costs of any activities and the liabilities, particularly those associated with the maintenance of the SANG and the provision of bus resilience funding. In the first few years, whilst these facilities are being developed, appropriate levels of grant support will be agreed and drawn from the developers to meet the Trust's development and operating costs.

1.5.5 Ownership and Participation

An effective role for the new community, and possibly the existing Parish Council, will be important to secure a mandate and to ensure take up of activities and services. There are also a number of other key stakeholders interested in the Trust's agenda and the organisation itself. They fall into three main groups: the future RSL(s), local voluntary, community and faith groups including the local churches, and Surrey Wildlife Trust, Ockham Parish Council, and the statutory service providers including Guildford Borough Council and Surrey County Council. These all need to be factored in to the appropriate governance structures where appropriate and possible.

2. Wisley Airfield Community Trust

The proposed Community Trust is intended to take responsibility for the (circa) 50ha of SANG (Suitable Area of Natural Greenspace), bus transport and community buildings, and also to develop, commission and implement initiatives which build a strong sense of community and respond to the relevant social, environmental and economic needs of the new residents.

2.1 VISION

These principal roles and responsibilities are set within the context of the following agreed vision for Wisley Airfield:

"to create a beautiful and enduring place; with spaces for attractive streets, gardens and squares; space to grow own food; imaginative and innovative play spaces; and open spaces to engage with the wider countryside and immerse oneself in nature".

Wisley Airfield is not intended to be a closed residential community, but to build a sense of community amongst residents (across all tenures) as well as a place that people from surrounding communities visit for work or leisure.

2.2 AIMS

To achieve this, the proposed principal aims and related activity areas of the Trust are to:

- 1) Own, maintain and effectively manage the on-site SANG in accordance with the SANG Management Plan and the Landscape and Ecology Management Plan, and provision of SAMM Plus wardening of the Ockham and Wisley Commons element of the Thames Basin Heaths SPA.
- 2) Maintain and effectively manage the permanent provision of frequent bus transport services for Wisley Airfield residents, pupils and business employees to Effingham Junction / Horsley, Cobham and Guildford including resilience funding where required.
- 3) Own, maintain and effectively manage endowed Village Hall, Clubhouse, major playing fields and other community assets including maintenance in perpetuity of strategic planting and landscaping to protect the setting of nearby heritage assets including Yarne and Ockham Conservation Area.
- 4) Provide community development activities designed to build a strong, healthy, and cohesive community of which everyone who lives, works or studies at Wisley Airfield can feel a part.

These activities will be underpinned with a responsibility to provide appropriate management and financial resources to ensure sustainability in perpetuity. Each of these activity themes will be developed further below.

The Trust needs to be an organic and entrepreneurial organisation with the capacity to respond to needs and opportunities, either in partnership with the public and voluntary service agencies, or to fulfil any gaps. Clearly the remit and capacity to take forward any other roles and related activity areas will depend upon the core partners requesting the Trust to take on other responsibilities and to ensure that there is sufficient revenue funding to do so. The other aims which could be included and will be considered further once the development is underway are to:

- 5) Own, maintain and effectively manage endowed play areas, community facilities and public open spaces.
- 6) Encourage a green lifestyle amongst residents and businesses.
- 7) Respond to local needs, particularly linking to the strengths of the community and its future assets.
- 8) Promote and support training and economic development activity (which could incorporate work with local schools)
- 9) Manage local infrastructure including any or all of street lighting, public art, utility services (ESCO), SUDS
- 10) Offer collective services where group purchasing provides financial benefits, such as with the purchase of household insurance
- 11) Promote design code and "police" implementation of local covenants regarding visual impact within the development

These aims would not preclude undertaking other new initiatives as and when opportunities should arise. However, it is important during the development period, that the Trust is clear about its focus and able to secure a mandate and the resources to work towards achieving any of these wider aims.

2.3 PRINCIPLES UNDERPINNING THE COMMUNITY TRUST

The Community Trust will be built upon a number of principles which will underpin the way in which it is set up, governed and developed. These are summarised below:

- Principle 1: Building community assets
- Principle 2: Understanding and responding to the changing community
- Principle 3: Developing effective partnerships
- Principle 4: Valuing and reflecting diversity
- Principle 5: Operating in a sustainable way
- Principle 6: Implementing responsible and accountable processes
- Principle 7: Evaluating and sharing results

These principles will be expanded and further developed in the following sections of this Outline Business Plan.

3. Programme and Activities of Community Trust

The proposed Community Trust will support the development of a strong, integrated and sustainable community. It will, therefore, need to be proactive in taking initiative and encouraging and supporting all aspects of community life.

The proposed aims set out in section 2 will be achieved through the planning, development, resourcing and implementation of a range of relevant and practical programme activities. Some of these are clear and to be regarded as core activities for the Trust, whilst others could be developed over time if there is demand, resources, and an agreed legitimate role for the Trust.

The four core activity areas are:

- Long term ownership and maintenance of the on-site SANG, and provision of SAMM Plus wardening of the Ockham and Wisley Commons element of the Thames Basin Heaths SPA.
- Permanent provision of frequent bus transport services for Wisley Airfield residents, pupils and business employees.
- Long term ownership, maintenance, and operation of community assets, and particularly the Village Hall, Clubhouse and sports facilities.
- Provision of community development activities designed to build a strong, healthy, and cohesive community.

A community development approach will be adopted designed to engage people, understand their needs and interests, and enable them to play a role in informing the delivery of facilities and services.

These activities will be underpinned with a responsibility to provide appropriate management and financial resources to ensure sustainability in perpetuity. Each of these three activity themes will be developed further below.

3.1 OWN, MAINTAIN AND EFFECTIVELY MANAGE THE ON-SITE SANG

As the development is built out, about 50ha of SANG will be completed in phases to provide newly created natural managed open landscaped areas designed to 'divert' leisure activity away from the existing SPA to seek to achieve no net recreational impact on the SPA. Each SANG phase will be first prepared by the developer, and the Community Trust will then be responsible for planning and commissioning its routine and cyclical maintenance in accordance with the standard stipulated in the planning conditions and s.106 agreement, prior to it being formally transferred to the Trust. The phase 1 SANG area of c38.7ha will be prepared prior to first occupation.

The SANG will be managed in accordance with the SANG Management Plan and the Landscape and Ecology Management Plan, and SAMM Plus wardening carried out in accordance with the Information For Habitats Regulation Assessment, all being relevant documents contained within or supporting the Planning Consent. It should be noted that this wardening activity will also support placemaking or community development activity designed to build a sense of local ownership and encourage environmental education.

These summaries below are made up of more detailed indicative modelled maintenance plans as shown below:

Phase 1 Site Maintenance Costs			
Item	Annual cost per unit (averaged where task not annual)	Quantity	Total Annual Cost (averaged where task not annual)
Empty Dog Bins	£ 300.00	2	£ 600.00
Empty Litter Bins	£ 300.00	2	£ 600.00
Clearance of encroaching vegetation	£ 250.00	8	£ 2,000.00
Spot repairs & site maintenance	£ 250.00	8	£ 2,000.00
Woodland management (thinning & scrub clearance)	£ 250.00	6	£ 1,500.00
Scrub management (coppicing & pollarding)	£ 250.00	6	£ 1,500.00
Wildflower meadow management	£ 323.00	20	£ 6,460.00
Grass management on mounds	£ 860.00	1.5	£ 1,290.00
		Annual total	£ 15,950.00

Phase 2 Site Maintenance Costs			
Item	Annual cost per unit (averaged where task not annual)	Quantity	Total Annual Cost (averaged where task not annual)
Empty Dog Bins	£ 300.00	3	£ 900.00
Empty Litter Bins	£ 300.00	3	£ 900.00
Clearance of encroaching vegetation	£ 250.00	10	£ 2,500.00
Spot repairs & site maintenance	£ 250.00	10	£ 2,500.00
Woodland management (thinning & scrub clearance)	£ 250.00	6	£ 1,500.00
Scrub management (coppicing & pollarding)	£ 250.00	6	£ 1,500.00
Short mown grassland management	£ 252.00	2.9	£ 730.80
Grass management within orchard	£ 252.00	2.5	£ 630.00
Wildflower meadow management	£ 323.00	23	£ 7,429.00
Grass management on mounds	£ 860.00	6	£ 5,160.00
Hedge cutting	£ 2.74	273	£ 748.93
		Annual total	£ 24,498.73

Phase 3 Site Maintenance Costs			
Item	Annual cost per unit (averaged where task not annual)	Quantity	Total Annual Cost (averaged where task not annual)
Empty Dog Bins	£ 300.00	3	£ 900.00
Empty Litter Bins	£ 300.00	3	£ 900.00
Clearance of encroaching vegetation	£ 250.00	12	£ 3,000.00
Spot repairs & site maintenance	£ 250.00	12	£ 3,000.00
Woodland management (thinning & scrub clearance)	£ 250.00	8	£ 2,000.00
Scrub management (coppicing & pollarding)	£ 250.00	6	£ 1,500.00
Short mown grassland management	£ 252.00	2.9	£ 730.80
Grass management within orchard	£ 252.00	2.5	£ 630.00
Wildflower meadow management	£ 323.00	25	£ 8,075.00
Grass management on mounds	£ 860.00	6	£ 5,160.00
Hedge cutting	£ 2.74	273	£ 748.93
		Annual total	£ 26,644.73

SAMM Plus			
Item	Cost per unit	Quantity	Annual cost
Ranger employment costs	n/a	n/a	£ 31,000.00
Ranger vehicle costs	n/a	n/a	£ 7,700.00
Footpath spot treatments (24 locations, circa 20m x 3m each)	£ 27.84	480	£ 13,363.20
Website maintenance	n/a	n/a	£ 465.00
Allowance for habitat management in Air Quality exceedence areas:			
Woodland management (thinning & scrub clearance)	50	22	£ 1,100.00
Heathland creation from cut heather and seed	2000	1.1	£ 2,200.00
			£ 55,828.20

Note: Footpath spot treatments repeated on tri-annual basis

The “SAMM Plus” wardening and rangers activity will also assist with the wardening of the adjoining Ockham and Wisley Common elements of the Thames Basin Heaths SPA as identified in the Wisley Airfield Behavioural Change Strategy and the Wisley Airfield info for HRA / SANG Management Plan Nov 2015.

It is proposed that an office, and/or “touchdown space” be provided for both the Ranger / Warden, and also for the use of Surrey Police community policing team. This may be co-located with the WACT Director’s office at, for example, the Village Hall building in the village centre. The Ranger / Warden will also support placemaking activities at the early stages of the development, to encourage patronage of the sustainable transport and bus facilities, appropriate dog walking behaviours, and community forum activities such as a demonstration wildlife garden, and community education projects. The ranger / warden will also be provided with living accommodation including a screened / fenced yard space for a skip and “pickup” or similar vehicle, and a workshop being for example an oversized domestic garage.

3.2 MAINTAIN AND EFFECTIVELY MANAGE THE PERMANENT PROVISION OF FREQUENT BUS TRANSPORT SERVICES

Bus transport will be a key feature of the sustainable transport solutions for Wisley Airfield, and provision will be required to ensure that these services are viable and sustainable in the long term.

The following local bus services are proposed (routes may be combined) Monday to Saturday from 0600 – 2300hrs:

Destination	SCC Base Service Level frequency from 76 th occupation	Comment
Effingham Junction or Horsley	5 per hour	Horsley offers extensive services including library, pharmacy, retail and leisure facilities.
Cobham	2 per hour	
Guildford	2 per hour	

The proposed services will be run on one of the following models.:

- As a first preference, a bus service coordinated, procured and project managed under a service level agreement by the Local Transport Authority (LTA), and the subsidy passed to them as required,

or in the event that the LTA do not prefer or are unable to run the services with any required developer or WACT funded subsidy, offering best value;

- By direct contract with a bus operator;
- By direct provision by the Community Trust.

The operational subsidy will be provided from the start of the service delivered on occupation of 76th property (forecast to be in the second year after first occupation) as described in the s.106 agreement. Where resilience funding allows, an enhanced level of service may be provided in order to encourage higher levels of service use, which will in turn help to achieve the modal shift required to reduce car use.

At an assumption of a normal (un-boosted) level of patronage of 5.9% Wisley residential mode share, the base service is predicted to achieve break even at or around completion of development. Prior to that point, it is proposed that the service be subsidised.

The cost model predicting break even at around 2,000 homes is based upon a series of assumptions including price, cost and patronage. The resilience funding would enable continuity of service in the event of assumption outturn variance.

The Community Trust will be provided with assets to support a resilience funding stream of circa £280,000 per annum. In the event that that cost model assumptions are realised, or are conservative, the resilience funding may be deployed to subsidise an enhanced level of service. In the event that the enhanced level of service does successfully boost patronage so that a lower level (or no) subsidy is required, or that it is considered that an enhanced service is not preferred, then this income stream will be released from year to year firstly to support on and off-site infrastructure enhancements for Non-Motorised Users, and secondly to support the general aims and objectives of the Community Trust, as defined by its constitutional aims.

3.3 DEVELOP, OWN AND MANAGE COMMUNITY ASSETS DESIGNED TO DELIVER SERVICES OF BENEFIT TO THE LOCAL COMMUNITY

The Trust will need to effectively and efficiently manage and operate the proposed Village Hall and other community assets within its ownership to derive the dual objectives of maximising use and service for the local community and voluntary groups, and also to ensure that the net income covers the operating costs. Such community assets may include, among others:

Village Hall, Clubhouse and Sports Facilities

- 500sq.m Village Hall by 499th occupation
- Clubhouse and car park, and village centre car park
- Grass sports pitches and facilities (other than those within the school) by 1,116th occupation
- All weather tennis courts and hockey pitch
- All weather Multi Use Games Areas

Play Areas, Green Open Space, and other Community Assets

- Local Areas of Play, and Equipped Local Areas of Play
- Non SANG green infrastructure including SuDS features and strategic planting and landscaping to protect the setting of nearby heritage assets Yarne and Ockham Conservation Area
- Other community assets not adopted by relevant statutory authorities.
- Coffee shop and hotdesk / homeworking support hub / Teleworking area

The local formal sports provision will include playing fields as well as changing and indoor provision. The precise details of the nature and use of the sports fields and the indoor provision will be determined in time based on more detailed consultation with both new and existing residents, and once decisions are taken about the future of other existing local provision, and through the determination of reserved matters in the planning process.

All these assets are clearly important facilities for community use and for the sustainability and management of the local environment, but some are not income generating, and will require funding to ensure long term quality management.

The assumption at this stage is that the Trust will take on management responsibility for the assets listed above under Village Hall, Clubhouse and Sports Facilities, and so associated revenue income and expenditure have been incorporated into the financial analysis. The other community assets, including play spaces, may be transferred to the Trust, but a decision will be taken once the development is underway, along with a full budget appraisal of the ongoing maintenance costs.

3.4 PROVIDE COMMUNITY DEVELOPMENT ACTIVITIES DESIGNED TO BUILD A STRONG, HEALTHY, AND COHESIVE COMMUNITY

A principal objective of the Trust is to build a strong and vibrant community where residents (across all tenures) and others who work or use the area, share a strong sense of belonging, pride and commitment to its future and well-being. To achieve this, the Trust will ensure that resident and local needs are understood and promoted, and that people are informed and engaged in the integration of any new housing and community. This will require initiating, coordinating and delivering community development activities from first occupation, focusing on the development of an integrated and tenure blind "community spirit" around three broad activity areas,

namely engagement, communication, and community activities. Examples may include planning, supporting, enabling, funding, and/or delivering the following:

- Welcome packs and associated welcome events
- Community events
- Community activities
- Website, newsletter, community noticeboards
- Arts and cultural events

The Trust will develop and implement a community development strategy that includes the following objectives and activities.

WHAT	HOW
a) Developing and maintaining data and other local information , based on evidence gathered from and by the local community	Engaging the local residential and business and partner communities to research , understand and respond to local priorities.
b) Developing a communications strategy to keep all residents and stakeholders informed about the development, the Trust and related local governance structures and activities, and to ensure that the work of the Trust is informed by regular dialogue and consultation .	Producing and distributing a Welcome Pack and regular newsletter . Developing and/or maintaining website, facebook and twitter accounts with potential for further interactive developments through the internet.
c) Undertaking outreach work to ensure that the Trust is engaging with the whole community and is both supporting and responding to a diversity of needs and interests.	Hosting welcome and community events and utilising community development approach as a core activity that underpins all aspects of the work of the Trust.
d) Empowering the local community to take up opportunities to be informed and to influence the provision of local services.	By reinforcing existing strengths and building new skills and capacities through information and training.
e) Encouraging and enabling a wide range of locally run community activities for all ages.	Establishing a small Grants Fund to enable local ideas and initiatives to be funded.

3.4.1 Community Development

Underpinning all of the Trust's activities, will be an ethos and approach that seeks to engage and develop all parts of the existing surrounding and new community, across

tenure, ages, gender, and ethnicity. Community development builds communities at a local level with an emphasis on social interaction through community events and practical club and leisure activities which strengthens social ties, and which ultimately creates a cohesive and sustainable community.

3.4.2 Raising and Securing Income for Local Projects

Fundraising from charitable and private sources is becoming increasingly competitive. For small groups wanting small amounts of money, fundraising can be a significant barrier to good, creative and socially worthwhile initiatives, as well as taking valuable time from core service provision. The Trust will have a small budget to "pump-prime" new activities and will also develop the capacity to provide advice and support for effective fund-raising for local initiatives or will undertake fundraising for local initiatives where appropriate, acting as the accountable body.

3.5 **SOCIAL, ECONOMIC AND ENVIRONMENTAL INITIATIVES**

There are a considerable range of community services that Trusts do and could undertake, depending on the local needs and the capacity of other local alternative service providers. Wisley Airfield Community Trust will be well placed to lead on other social, economic and environmental initiatives which respond to the needs of the local residents. It will provide a suitable vehicle to take forward practical responses, for example, with regard to encouraging greener lifestyles, biodiversity initiatives such as demonstration wildlife gardens and management of green corridors, green travel initiatives in support of the Travel Plan provided for within the planning consent and subsequent reserved matters, community orchards, community green energy initiatives, and potentially management of community energy generation projects, provision for young people, and employment support initiatives. all for the benefit of the residents (and schoolchildren attending the all-through school) of the community within the red line only.

An ability will be retained for other phases of development outside the red line to participate in and benefit from the Community Trust subject to sufficient additional resources being made available to support an enhanced programme and area.

These activities will be achieved through the planning, development, resourcing and implementation of a range of relevant programme activities designed to encourage and support all aspects of community life. These might be provided for their own intrinsic benefit, but can also be the means to achieve other social objectives such as the provision of local training and employment, perhaps for a target group of disadvantaged people.

3.5.1 Encourage Low Carbon (Green) Lifestyle Amongst Residents

In new housing developments, carbon reduction is an important feature both in terms of the houses themselves (energy efficiency and energy use) and in lifestyle matters such as through water conservation and green travel plans. The

Community Trust could play an important role in encouraging green and low carbon lifestyle amongst residents and businesses through such activities as supporting, enabling, and/or funding:

- Reduction in energy use
- Recycling and waste management
- Water reduction and recycling
- Green travel
- Community gardening and local food production

The development and funding of a Green Travel Plan (see relevant document for details) designed to reduce car use and promote healthier lifestyles is one such example, but there are many other lifestyle choices including energy saving and recycling that the Trust could also have an influence on. Given its engagement with the local community, the Trust would be well placed to develop and support the implementation of various initiatives, and could manage the Green Travel plan by employing the Green Travel Coordinator / Travel Plan Manager as part of its core staff team.

Alongside this would be other opportunities to work with the local schools, businesses, and other service providers to further the concept of green lifestyle, which will require support, development and promotion.

3.5.2 Intermediate Land Uses

Given the length of the period of development, there will be land available which could lend itself to intermediate use prior to development for housing or Green Infrastructure. There are numerous examples around the country where such land has been used very effectively on a short term basis to support other objectives, including training, community development, community arts, sports, ecology, and for plant, tree and food production.

The Trust would be well placed to identify both community needs and opportunities, and to broker with the developer to take forward any associated ideas at the right time.

3.5.5. Other And New Initiatives

A primary focus for the Trust is to develop and broker practical projects that respond to the strategic aims of the Trust. There will be various other opportunities that present themselves which may further the vision and aims for the Trust. It is difficult to predict all of these, but partnership with other local agencies will enable the Trust to be seen as a credible local delivery agency.

4. Governance

The governance model to be adopted for the Community Trust is fundamental to the nature and style of its management and accountability, particularly to the sense of ownership and practical involvement of the core partners and local residents to be built over the medium term.

The model of a charitable limited company has been chosen as it provides a sufficiently robust but dynamic organisation structure able to manage the land and facilities, respond to community needs, and build a sense of community. The advantages of this Charitable Company model are that it provides:

- Limited liability for Trustees* and members
- A democratic structure with a membership base
- A recognised model
- Not for "personal" profit
- Continuity for longevity
- Charitable tax and rates benefits
- The ability to employ staff and enter into contracts
- The ability to raise funds and borrow money

* Note that Trustees are registered with both the Charity Commission and with Companies House as trustees are both trustees under charity law and company directors under company law.

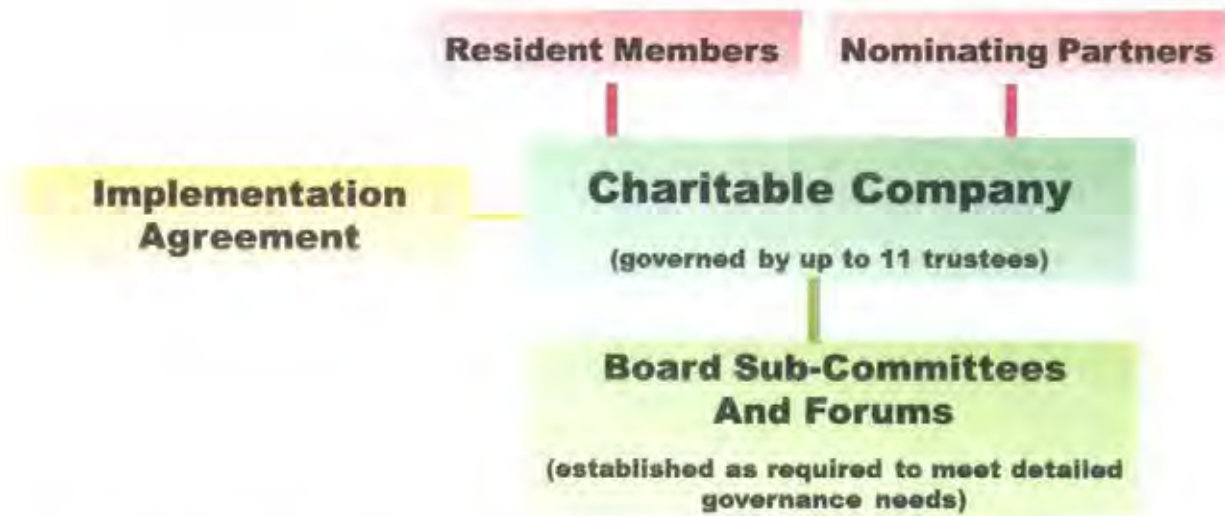
4.1 PRINCIPLES FOR GOVERNANCE STRUCTURE

The governance structure for the Trust is intended to provide the necessary legal framework for the ownership of assets and responsibility for resources, whilst also ensuring strong management and accountability for service delivery and demonstrable public benefit.

The proposed Community Trust needs to have a robust and effective governance structure capable of meeting a series of objectives. These include:

- sustaining the quality and relevance of the service delivery;
- safeguarding the assets
- being resilient to any risks
- remaining accountable to the stakeholders and local community all in the long term.

The governance of the Community Trust will operate at four levels as shown in the diagram below:



4.1.1 Articles of Association

The proposed Articles contain provisions for the operation of the company including:

- Objects and powers
- Membership
- General Meetings and their conduct
- Appointment of Trustees
- Quorum for Trustee meetings
- Obligations and conduct of Trustees
- Committee and working Parties

The proposed Objects are contained within the proposed Articles. These seven objects below focus on provision and maintenance of public open spaces and community facilities, but allow for all the proposed activity areas of the Trust, all of which are of a charitable nature designed to facilitate securing charitable status.

- a. to provide maintain and equip parks gardens landscaped areas woodlands open spaces playing fields playgrounds recreational amenity spaces and other elements of the public realm within the Area of Benefit for the benefit of the inhabitants thereof;
- b. to advance public education in the Area of Benefit for the benefit of the inhabitants thereof with particular regard to horticulture arboriculture wild plants and wildlife;
- c. to provide or assist in the provision of facilities for recreation or other leisure time occupation in the interests of social welfare and with the object of improving the conditions of life for the inhabitants of the Area of Benefit;

- d. to promote the conservation, protection management maintenance and improvement of the physical and natural environment in the Area of Benefit for the benefit of the inhabitants thereof;
- e. to provide a community transport service (including the local bus services described in this business plan) for the inhabitants of the Area of Benefit who are in need of such services because of age, sickness, disability (mental or physical) or poverty or because of a lack of availability of adequate and safe public transport;
- f. to promote, protect, preserve and advance all or any aspects of the health of the inhabitants of the Area of Benefit; and
- g. to establish, manage or assist with the establishing and management of health facilities, Village Halls, arts centres, workshops, groups for educational play, deprived youth and old people in need and centres residential or otherwise for activities in the Area of Benefit all being for the benefit of the inhabitants thereof.

The "area of benefit" for the Trust is proposed as Wisley Airfield (being the new settlement) and the adjacent areas including the Ockham and Wisley Common elements of the Thames Basin Heaths Special Protection Area.

Membership and Rights

The Articles set out details about membership of the Trust, who must be either Trustees or a resident of the area of benefit, irrespective of tenure, i.e. tenants as well as freeholders are entitled to sign up as members for the duration of their tenancies or occupation, which includes commercial owners and tenants. Membership of the Trust is not automatic, but residents of Wisley Airfield will be encouraged to sign up as members either at the time of conveyancing or shortly after they move in to the new development. Membership is limited to one individual per household or business tenancy to avoid any excessive influence, and resident company members will be limited to a maximum of 50% of the votes at General Meetings.

Membership of the company provides the following statutory entitlements:

- attendance at the company's General Meetings; these are distinct from company Board meetings and at least one General Meeting must be held annually;
- the opportunity to submit and vote on resolutions;
- to approve any proposed changes to the constitution or the name of the Trust;
- at the AGM, to receive the Trustees' report, the accounts and the auditors' report, and to appoint the Trust's auditors;
- for residents, the opportunity to participate in the appointment of the Resident Trustees.

Board of Trustees

It is proposed that there will be up to 11 Trustees in total from the key partners of the developers, the Borough Council, residents and specialist interests as follows, up to 6 at the beginning who are then supplemented by a further 3 resident Trustees and up to 2 co-opted Trustees:

NO. PLACES	NOMINATION	APPOINTMENT
1	Guildford Borough Council member	By appointment
3	Developer	By appointment until development is complete
1	Surrey County Council member	By appointment
1	Ecology Authority (Natural England)	By appointment
3	Residents	By election
2	Co-opt	By Board members

The Trustees whilst bringing their respective stakeholder interests and experience to the board, must nevertheless act in the best interests of the charity and not their organisation.

Trustees all have a three year term of office, irrespective of how they are appointed, but can be reappointed.

There is also provision for Observers (i.e. non-voting places) to attend the Board meetings. The Articles allow Observers to attend and participate at all meetings of the board (subject to the Chairman's invitation to speak or advise), but may be excluded by the Chairman whenever confidential matters are to be discussed.

The board will be required to meet frequently to set policy and direct the organisation. Its role will evolve with time, but its responsibilities are likely to include:

- representing the Trust to outside agencies and forums
- defining policy and strategy for programme activities to meet Trust aims
- setting the budget and ensuring financial viability and a sustainable funding strategy
- negotiating with the developers over specification and transfer of land, endowed assets and community facilities
- agreeing priorities and performance targets through the annual business plan
- approving service level agreements for any sub-contract activities
- appointing and managing the Trust Director or interim contract staff
- monitoring performance and directing action if required

In the first few months, the Board will be largely concerned with supporting the planning and implementation of the full Business Plan and overseeing the support (staffing) and infrastructure (insurance, equipment, management) for some early

successes such as the branding, newsletter, and the development of the detailed briefs for the community facilities.

The quorum for the board is a minimum of two Trustees, with at least one being from the Developers until the development is completed. Decisions arising at a Board Meeting are to be decided by a simple majority of votes with each Trustee having one vote, subject to there being some limited protection for the developer prior to completion.

Chairman and Vice-chairman

The role of Chairman will be crucial, and particularly during the first year as the Trust is formed, and the working style and culture established. The developer will appoint the Chairman until Practical Completion, after which the appointment of the Chairman and the Vice-chairman are matters for the Trustees to determine.

Annual General Meeting (AGM)

The AGM is one of the key means by which the Trustees can report on progress over the previous twelve months to its Members. An Annual Report from the Board is a requirement, along with a report of its strategy for the future. The AGM will receive the annual report and accounts and will be the time when resident Trustees are appointed (subject to detailed rules to be worked up by the trustees).

4.1.2 Legal Implementation Agreement to Safeguard Objectives and Resources

It is proposed that the aims and intentions of WACT will be protected by a contract called an Implementation Agreement, signed by the various stakeholders (including the planning authority, the County Council, and the developer). This is designed to ensure that the original plans for the operation of the Trust are protected, and that unanimous consent is required from the foundation partners before the structure or business of WACT can be amended in any way. This performs much the same function as a shareholders' agreement in a commercial joint venture.

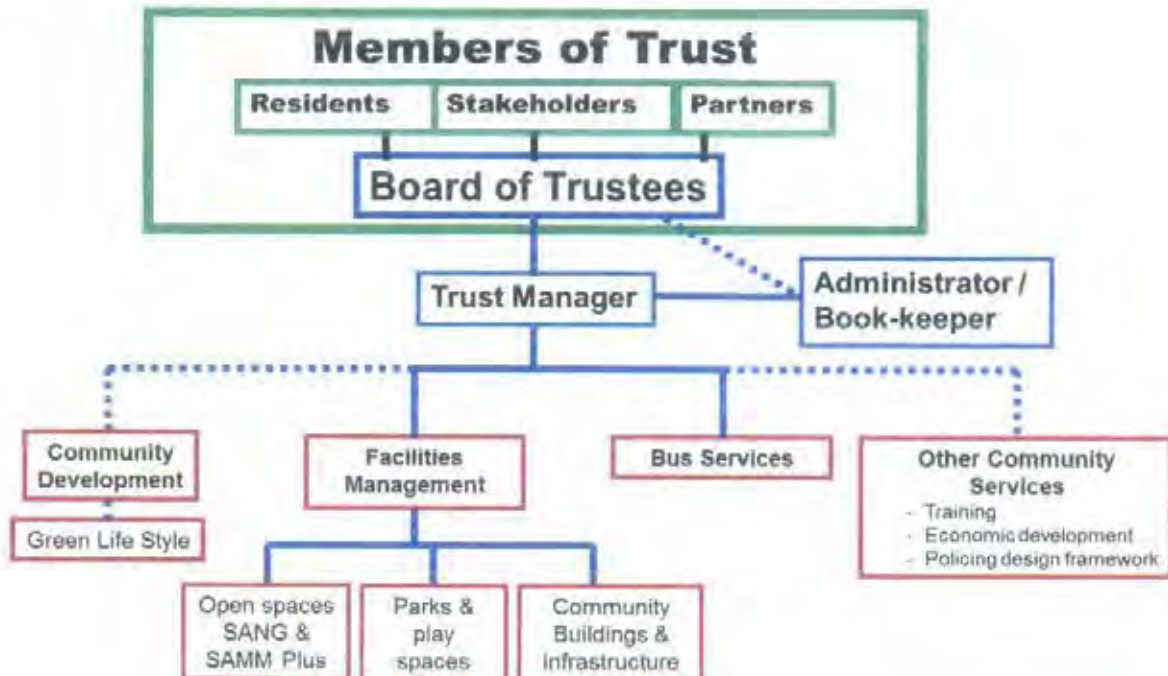
This Implementation Agreement will also ensure that funds generated from the endowment are ring-fenced for the specific intention originally designated and cannot be applied elsewhere without the full agreement of the parties.

4.1.3 Board Sub-Groups

The Articles will allow the Trust to create sub-committees and working groups as it deems fit. These will evolve and change to meet the Trust's needs, and are likely to reflect its core activity and responsibility areas (eg Landscape Management and Maintenance). In the first instance, the three Sub-Committees/Groups of the Board that are likely to be constituted are shown below.

4.2 GOVERNANCE STRUCTURE

The proposed organisational structure of the Trust can be shown as:



The appointment process for Trustees is important and great care will need to be taken to get both the process and the people right if the Trust is to have the credibility and skills that it needs, as well as a strong culture of service delivery.

The following processes are recommended:

Initial Shadow Board

It is very important that an initial Shadow Board is established at an early stage, and is credible, competent and able to make efficient and effective progress.

The trustees will be initially appointed through invitation and selection of core partners to ensure a mature and experienced team able to lay strong foundations as follows:

- a) Appropriate and interested individuals identified. These will come from key partners during the initial Trust development period, preferably with vested interests to ensure success;
- b) A chairman is nominated and appointed by the developer;

The members of the Shadow Board will then become the subscribing (founding) Trustees who will then make themselves accountable to their various constituencies

through the subsequent appointment processes and the Annual General Meeting, as summarised in the constitution.

Future Boards

All Trustees are required to be committed to the successful development of the Trust, and so it would be inappropriate for any individual to promote their own organisational interests to take a seat on the Board. The Trust itself must be committed to the principle of people being appointed on the basis of merit, including skills, knowledge, and competence. It will be important to ensure a good balance of gender, age, skills and experience on the board of Trustees as far as possible.

The initial board will adopt a number of standing orders governing its operation and procedures. These will need to include a schedule for its transfer to a nomination process for residents along the following lines:

- a) The Chairman will be appointed by the developer until Practical Completion, and then will be re-elected from the Board every year, at the first meeting after the Annual General Meeting;
- b) The initial board should be in place for at least two years to enable the Trust to become fully operational;
- c) Following that period, the Board will review the process for appointing residents as Trustees, and agree a revised process.

5. Personnel

The Trust will be built upon the enthusiasm and qualities of the people connected with it. These will include the key partners, the voluntary Trustees, the staff who coordinate the operation and running of the Trust, the volunteers who assist, and the service providers and users of the facilities.

Given the "people-centred" orientation of the organisation, it is crucial to set the right ethos from the beginning, and also to invest in suitable training and support.

5.1 STAFF

The independent status of the Trust will require the appointment of an executive team to initiate and undertake the practical day to day tasks as required by the Board of Trustees. The key tasks can be summarised as:

1. Liaising with the developers over the detailed specification and maintenance plans for the open spaces and for design and fitting of the community facilities;
2. Ensuring the effective maintenance and operation of the land and open spaces, any endowed assets, and the community facilities once they are transferred to the Trust to fulfil their uses and respond to community and leisure needs;
3. Commissioning and/or delivering any services and setting in place necessary contracts under service level agreements;
4. Ensuring effective communication with and involvement of users, residents and stakeholders in the Trust and its activities;
5. Inducting, managing and developing any staff, service providers and/or volunteers;
6. Securing and managing financial and other resources
7. Supporting and facilitating the Board of Trustees

There are essentially three ways in which these tasks can be undertaken:

- By the engagement of specialist support under contract;
- By employing own staff;
- By the commissioning of existing agencies or partners under service level agreements to deliver key tasks and responsibilities

It is recommended that the Trust Board focus on the tasks to be achieved, and determine the best way to achieve this at each stage of its development. It is likely that given the extended development period for Wisley Airfield, that the organisation will evolve through a combination of commissioning other partners supplemented by specialist support, leading eventually to a combination of own staff and service partners operating through service level agreements.

5.1.1 Engagement of Specialist Support

The Trust Board will need specialist skills to carry things forward over the first few months and to provide practical input into the setting up of the Trust, particularly until the appointment of the first Trust Director. It may be more cost effective in the short term to contract appropriate support to manage the affairs on behalf of the Board, perhaps supplemented with a Administration support, until there is sufficient work to warrant a more senior position.

5.1.2 Employing Own Staff

The Trust will require executive staff to carry out core functions according to the work programme. The core staff or responsibilities likely to be eventually required are:

ROLE	PURPOSE OF ROLE
Trust Director (or contracted support staff)	<p>To develop the Community Trust, along with the related landscaping, transport, and community development programme, brokering the financing and delivery of a successful programme.</p> <p>The emphasis should be on an entrepreneurial character with a strong appreciation of land and facilities management, development and coordination of community activities, and working to a voluntary board.</p>
Community Development Worker	<p>As a member of the Trust team, to help develop and implement the community development strategy, with particular responsibility for engaging with the community and planning community activities. It may also include booking of community facilities, coordinating the communication strategy, and supporting the Trust Manager, Board, and volunteers in their work.</p>
Administrator / Book-keeper	<p>As a member of the Trust team with particular responsibility for maintaining financial records, running the office efficiently, coordinating the communication strategy, and supporting the Trust Manager, Board, and volunteers in their work.</p>

The Trust Director will manage these activities on behalf of the Trustees, and is expected to either directly commission and fund specialist providers to deliver the services outlined, or may in some instances choose to employ the staff to deliver the services itself. The Director's duties to include:

- Arranging and servicing the meetings of the Board
- Managing, maintaining and supervising the contractual arrangements with service providers and subcontractors
- Managing and employing any direct labour or assistant clerks
- Setting up and administering the WACT bank accounts (potentially with Trustee mandate holders) and overseeing all record keeping and financial matters
- Managing and supporting volunteers
- Liaising with Police, SANG Ranger / SAMM warden, community workers, Parish Council

- Either directly, or by subcontract
 - Managing the income producing asset base, including the advertising and arranging or lettings, collection of rents, holding of deposits, maintenance management and repair of property etc.
 - Providing local bus services, as a first preference, a bus service coordinated, procured and project managed under a service level agreement by the Local Transport Authority (LTA), and the subsidy passed to them as required, or in the event that the LTA do not prefer or are unable to run the services with any required developer or WACT funded subsidy, offering best value; by direct contract with a bus operator; or by direct provision by the Community Trust.
 - Providing wardening and ranging services, either by direct labour / contract, or contracted with a service outsourcing partner.
 - Managing the community asset base, including the repair, maintenance and management of the community assets. This may be administered directly with employed or subcontracted support or contracted with a service outsourcing partner.
 - Monitoring and managing the Travel Plan and other relevant planning conditions and obligations to be delivered by the Trust.
 - Maintaining the WACT website and other social media

5.2 SERVICE PARTNERS

There are a number of specialist service providers with an interest in both the area and aspects of the Trust's programme, and potential working relationships, maybe through commissioning should be considered by the trustees at an early stage.

Surrey Wildlife Trust, is one such example, but there are others with skills and capacity to work with the Trust on aspects of its programme if deemed appropriate by the Trust Board. Each will have very different specialism, geographical areas of interest, organisational structure, capacity, infrastructure and intentions. If the Trust is formed, a community development approach designed to support partnership, manage expectations, and delivery of mutually agreed objectives should be the preferred strategy.

5.3 VOLUNTEERS

Volunteers will be crucial to the effective development and operation of the Trust and its activity programme, and their recruitment and development will form part of the work programme. The main roles for volunteers will be:

- Participating as Trustees;
- Acting as members of a reception committee for new residents;
- Supporting an editorial group for the newsletter and web-site;
- Undertaking the organisation of key events and activities such as community social events

6. Finance

The structure of finance for the Trust is a crucial aspect in determining its ability to be viable both in the short and the long term. This outline Business Plan sets out the financial structure and associated model for anticipated income and expenditure which will ensure that firm foundations are laid from the beginning and that the Trust will be self-sufficient and financially sustainable in the long term.

A financial model has been prepared over the anticipated construction period of the development before it is completed utilising principles that ensure financial self-sufficiency in the long term through income derived from the endowed assets and community facilities, and an annual levy from residents. The Trust will be underpinned in the early years with revenue and start-up funding through contributions from the developer.

Over the course of the development the Trust's long term stewardship responsibilities will grow to include:

- The management and maintenance of the SANG, and provision of SAMM Plus wardening
- The provision of subsidised local bus services
- Endowed community facilities serving a variety of needs
- An endowment to generate income
- Roles in community development and engagement
- Administrative and support costs in respect of the above

These responsibilities extend in perpetuity, meaning the Trust must plan in the short term to maintain sufficient funds for longer term requirements, including the enhancement and replacement of assets at points in the future.

This Business Plan looks at finance under three headings:

- I. Financial Strategy and Model
- II. Income and Expenditure Budget
- III. Financial Management and Reporting

6.1 FINANCIAL STRATEGY AND MODEL

The Trust has to be viable in the long term. To be viable, it will need to ensure that it has sufficient income to meet its responsibilities and associated liabilities and in particular, to ensure that it has sufficient revenue to be able to maintain and manage the SANG, Village Hall, Clubhouse and sports facilities, and to provide the bus subsidy in perpetuity.

In the first few years, whilst the houses are being built, required levels of grant support will be drawn down from the developers to meet the Trust's development and operating costs.

The principles underpinning the financial model are, therefore:

- iv) For WPIL to provide initial start-up funding, and sufficient revenue resources to underpin all operating costs and liabilities until the Trust becomes self-sustaining;
- v) For provision to be made in relevant legal documentation for a charge to be made on all dwellings to contribute towards the Trust and its objectives;
- vi) For the Trust to be endowed with suitable income generating assets and/or financial endowment to generate sufficient income to meet its liabilities

In addition to these income generating assets, it is also proposed that office, and/or "touchdown space" will be provided for the Ranger and the Warden, and also for the use of Surrey Police community policing team. These facilities may be co-located with the Trust's office at, for example, the Village Hall building in the village centre.

In the medium to long term, the Trust will have six main areas of income open to it:

- Pump-priming grant support (or endowment) from the developers
- Unit charge on all residents within Wisley Airfield
- Income derived from endowed assets (land, property and/or money)
- Sessional use and letting of Village Hall and Clubhouse, and charges for the use of community assets as applicable and appropriate
- User charges for activities provided directly by the Trust
- External grants or project management fees
- Interest on reserves and endowment

Experience has shown from other similar developments that a household levy, circa average £100 per annum per household, provides an additional steady income that can be applied towards community activities and gives residents an automatic stake in the Trust.

The expenditure will fall into five main headings:

- SANG Management and SAMP Plus wardening
- Transport subsidy
- Facilities Management including maintenance, operation and sinking funds of the Village Hall, Clubhouse, and any other open spaces and facilities
- Core infrastructure costs for Trust staff and operation
- Project costs for activities and service delivery

6.1.1 Funding the revenue shortfall over the first ten years

Wisley Property Investments (WPIL) have set out their intention to ensure that there is sufficient funding in place to set up the Trust, create a core infrastructure and meet

any shortfalls during the first few years. The financial model demonstrates a funding requirement of approx.. £639,800 being required over the first ten years before the Trust becomes self sufficient. This funding support will provide the Trust with a firm platform to enable it take responsibility for the community land and facilities as it is transferred across, develop an activity programme and sustainable income streams.

6.1.2 Long term funding requirement

The anticipated funding requirements (excluding inflation) are summarised below:

Activity Theme	Sub area	Funding requirement (annual)	Comment
Transport (TBBP)	Bus support		Initial funding to support the base level bus service to be provided by WPIL / developer on an at least annual basis in cash
	Bus support	£280,000	Resilience funding level pa
SANG / SAMP Plus (SBBP)	SANG establishment and project management		Initial funding / delivery in kind of the SANG in phases and early management to be provided by WPIL / developer on an at least annual basis in cash
	Rangering, wardening, maintenance and capital replacement	£185,000	Base funding level pa from 1 st occupation
Total		£465,000	
Community (CBBP)	Setting up Trust and support for community development by 1 st occupation	£639, 800 over ten years to be tapered out as development completed and rentcharges established	Setting up and running Trust, community placemaking projects, income / cost shortfall from hire of community assets

To resource this funding requirement, it is proposed that funds and assets are provided for the Trust on the following basis:

- 1) Start-up costs and early years programme funding estimated to be £639,800 provided directly by WPIL or in kind.
- 2) Provision of an Endowment Scheme to produce an income stream of c. £465,000 pa. The details of the asset mix and quantum will be confirmed nearer the time of providing the endowment depending upon prevailing market conditions, but are anticipated to comprise sufficient open market dwellings producing enough rental income to meet the Base Funding requirements.
- 3) Provision of operational assets including 1x 2 bedroom dwelling for the purposes of accommodating the SAMM Plus warden incorporating workshop / garage hard standing and skip area, plus office / touchdown space for the WACT office, the Police officer, and the SAMM Warden in accordance with the planning permission obligations and conditions
- 4) Maintenance and management of other community assets such as the MUGAS, village green, public open space, LEAPS, whose aggregate income on completion of the development is anticipated to meet their maintenance costs
- 5) Establishing an index linked Rent Charge Deed on all properties prior to sale to provide an average of £100 per property to support community development work and sustainability of associated community assets.

These figures and the proposed endowed asset mix will be reviewed in the detailed business plan, and the endowment details revisited at the proposed key stages throughout the development to ensure sustained viability.

6.1.3 Other Funding

There are a range of other sources of income open to the Trust, and it is important to keep an open mind to establish creative partnerships in order to secure both cash income and in-kind support. Further work will be required to assess each existing and potential project to determine the most appropriate sources available.

6.2 **INCOME AND EXPENDITURE BUDGETS**

The financial model sets out an initial income and expenditure budget prepared across the anticipated fifteen year build programme utilising the assumptions outlined. The SANG open spaces, Village Hall, and income generating assets will be transferred to the Trust which will then assume the responsibility to ensure they are adequately managed and maintained, and utilised for community purposes or benefit.

6.2.1 SANG and SAMM Plus Wardening

In addition to these management and wardening costs, budgets have also been prepared for direct landscape maintenance costs and also for long term capital replacement of site infrastructure such as benches, fencing, interpretation boards, etc An example of SANG Management / SAMM Plus wardening arrangements and costs is set out below. There are various ways in which the responsibilities could be met and this model sets out one approach, which is less than that indicated at 3.1 above, and in the budget.

Schedule of Services:		SANG				
		Development July 2017- December 2017	SANG Live: 2019	Phase 1 First Occupation 2019-2020	Phase 2 2026-2027	Phase 3 2028 onwards
Project Offices	Advises on development of SANG and liaison with developer and community 1.0 FTE Manages SANG & community liaison day to day: 7 days per week 1.5 FTE	✓	✓			
Ranger	Supports community education and engagement activities, 0.5 FTE			✓	✓	✓
Education and Community Officer SAMM Warden	1 day per week to cover staff management and project management and additional skills including ecological surveying and monitoring to support the placement phases			✓	✓	✓
Management and other support	Onsite accommodation for rangers Compound, Skip, Vehicle parking, tool store, office	✓	✓	✓	✓	✓

Budget By Activity Phase Note: All costs specified at 2015 rates and exclude future inflation over 80 years in perpetuity period		SANG				
		Development July 2017- December 2017	SANG Live: 2019	Phase 1 First Occupation 2019-2020 Annual Budget	Phase 2 2026-2027 Annual Budget	Phase 3 2028 onwards Annual Budget
Project Officer	Advises on development of SANG and liaison with developer and community 1.0 FTE Manages SANG & community liaison day to day: 7 days per week 1.5 FTE	£23,523	£47,045			
Ranger	Supports community education and engagement activities, 0.5 FTE			£67,128	£67,128	£67,128
Education and Community Officer SAMM Warden	To cover staff management and project management, additional skills, including ecological surveying and monitoring to support replacement phases- equating to 0.2FTE		£47,935	£23,273 £47,935	£23,273 £47,935	£23,273 £47,935
Management and specialist support	Onsite accommodation for rangers Compound, skip, vehicle parking, tool store, office	£3,229	£6,458	£12,915	£12,915	£12,915

Schedule of costs		Project Officer					Education & Management Community & Other Officer Support		SAMM Warden	
		Project Officer	Ranger	Education & Management Community & Other Officer	Support	SAMM Warden	Project Officer	Ranger		
Individual staff cost		£41,625	£38,385	£36,765	£57,825	£38,365				
FTE		1	1.5	0.5	0.2	1				
Total Staff cost		£41,625	£57,578	£18,383	£11,565	£38,365				
Vehicle				£7,700	£1,540				£7,700	
Mileage	200 miles per week @45p/mile		£4,320		£1,000		£1,000			
Equipment	Assorted tools for staff & volunteers	£500		£500	£1,000				£500	
Volunteer & Other Expenses		£350	£350	£350	£350		£350		£350	
Printing, Stationery etc	Brochures, leaflets and information	£500	£250	£500	£500				£500	
Communications	Mobile phone	£250	£250	£250	£250				£250	
IT	Laptop	£250	£250	£250	£250				£250	
Total Other Costs		£5,420	£5,420	£9,550	£4,890		£1,350		£9,550	
Combined costs		£47,045	£67,128	£23,273	£12,915	£47,915				

Indicative summary budgets for SANG Management and SAMM Plus wardening potential arrangements are summarised below again revealing a lower cost than that budgeted for, set up costs being provided by the developer;

Summary: SANG Maintenance and Capital Replacement	
Setup Costs Required	£2,345,528
Capital Replacement	
Capital replacements over 40 yrs cycle	£473,347
Contingency & Prelim @15%	£71,002
40yr capital replacements costs total	£544,349
Annualised Capital Replacement Cost	£13,609
Annual Maintenance Costs	
Phase 1	£15,950
Phase 2	£24,499
Phase 3 and Beyond	£26,645
Contingency & Prelim @15%	£3,997
Annual Maintenance Costs (beyond 2028)	£30,642
Annual Funding Required (beyond 2028)	£44,251

Summary Table: SAMM PLUS wardening plus capital replacement	
Setup Costs Required	£523,882.00
Annual Costs	
Capital Replacements	£ 1,267.20
Maintenance costs	£ 55,828.20
Total Annual Costs	£57,095.40

6.2.2 Bus Revenue Subsidy

A detailed Transport Subsidy model has been developed (attached at Appendix C) setting out the annual developer contribution required towards the bus operational subsidy which will be provided from the start of the service delivered on occupation of 76th property. These provisions will be paid in accordance with the provisions of the obligations and conditions of the planning consent.

6.2.3 Long Term Annual Budget

When the site is fully built out, the anticipated annual income and expenditure can be summarised as:



INCOME & EXPENDITURE HEADINGS	BY YEAR 16	NOTES
INCOME		
Estate Rentcharge	180,000	£100 average/property with allowance for 10% non-payment
Net Income from Endowment	464,851	
Community facilities income	35,000	Hiring income
Total Income	679,851	
EXPENDITURE		
Core costs	98,500	Staff, professional fees, marketing and general expenditure
Community Activities	50,000	To support Community Development
Community facilities	30,000	
SANG & SAMM Management	184,851	Wardening and landscape management
Transport subsidy	276,551	
Replacement Funds – Sinking Funds	30,000	Set aside from reserves
Total Expenditure	669,902	
Net Income/Expenditure	4,949	

These numbers, at current prices would if all the assumptions hold effectively, form the basis for budgets going forward from that point. As will be seen the surplus (6% of expenditure) provides a £30,000 continuing contribution towards sinking funds.

In the event of any additional surplus funding, this to be applied to furthering of the Objects of WACT as directed by the Board of Trustees.

6.3 FINANCIAL MANAGEMENT

The Trust will put in place systems that adequately control the movement of monies into and out of the organisation. Financial policies will be approved by the Board and then will be reviewed periodically in the light of growth, experience, and new staffing arrangements. The policy will include clauses covering:

- Bank account
- Controlling income
- Monitoring expenditure
- Appointment of suppliers and contractors

Book-keeping (and payroll service) will be required by the Trust from an early date which could be done under external service contract or internally through any administrative staff. Financial paperwork will be kept to facilitate the swift preparation of management accounts.

7. Operational Management and Resources

As the Community Trust becomes established, it will have a number of day to day operational issues that it will need to consider and manage. These will largely evolve in response to the changing circumstance, but will need to be planned and managed.

7.1 OFFICE AND EQUIPMENT

The Trust will initially require an office that is accessible by the community, but also provides easy connections to the developer and house builders to ensure full participation of Trust staff in relevant aspects of the development programme. This may well be part of the marketing suite or the project office until it is able to move into the first of the community facilities.

The Trust will require basic equipment to run its operation including desk-top computers with latest software (word-processing, email, publisher, and database), desks, and telephones as well as access to a photocopier. Sharing facilities and resources such as photocopier with other related agencies such as the developers will provide economies of scale.

The new community facilities will require a range of equipment to be determined in the future, and will include chairs and tables, as well as white goods for the kitchen, and any necessary audio-visual equipment for the community hall.

7.2 POLICIES AND PROCEDURES

As an independent legal body, the Community Trust will be required to operate within the law and to formally approve and implement its own policies. The basic legal and operational policies and standing orders required at an early stage are:

- Health and Safety
- Equalities (Equal Opportunities)
- Safeguarding (Children and Vulnerable Adults)
- Personnel including contracts of employment and terms and conditions
- Financial procedures including appointment of suppliers and contractors
- Rules for operation of the Board
- Confidentiality and declaration of conflicts of interest
- Governance issues for the Board
- Data Protection

In addition, more detailed policy and practice guidelines will be developed and documented over time, particularly as the community development work rolls out and for the effective operation of the community facilities including lettings policies (long term and sessional), security, child protection, public relations, confidentiality, training, and administration as required.

7.3 INSURANCE

The Trust will require public and employee liability insurance and also buildings and contents cover as soon as it runs events, employs staff, undertakes maintenance work, and takes over the Community facilities respectively. The Trustees are also likely to want trustee indemnity cover.

7.4 PARTNERSHIPS

The creation of effective practical partnerships between the various stakeholders will be crucial to the long term success of the Trust. The main actual and potential partners are identified below:

POTENTIAL PARTNERS WITH ROLE TO PLAY WITH COMMUNITY TRUST	
♦	The developer and associated housebuilders
♦	The appointed Housing Association(s)
♦	Guildford Borough Council
♦	Surrey County Council
♦	Ockham Parish Council
♦	Police
♦	Clinical Commissioning Group (Local GP Practice)
♦	Local Resident Groups
♦	Voluntary groups
♦	Local schools
♦	Church/faith groups
♦	Training providers
♦	Surrey Wildlife Trust

7.5 SUPPLIERS AND SUB-CONTRACTORS

The Trust board will establish procedures for the appointment of suppliers and sub-contractors for its own needs, which may include consultancy support, or financial services, depending on the time and skills of the staff. These can be included within the financial and management control systems.

7.6 QUALITY MANAGEMENT

Quantitative targets and to some extent qualitative targets will be developed over the first twenty-four months to monitor performance which will be included in any Service Level Agreements with key service partners. These will be developed further over time to help shape the priorities and resource allocation of the Trust and will be incorporated into the annual Business Plan provide quantitative targets, and to some extent qualitative targets for its activities.

8. Marketing and Communication

Marketing and promotion of the Community Trust and related activities are fundamental to its success, and are to be regarded as a high priority. The development and implementation of a successful engagement and communication strategy will have a number of benefits:

- Build ownership of the Trust and its vision by local residents and associated community groups
- Position the Trust as a key player in the development of the Airfield
- Foster knowledge of the role and potential activities of the Trust amongst voluntary and community organisations leading to practical engagement to a common purpose.

The Trust communication and engagement strategy will be prepared early in its formation as part of the detailed Business Planning process and will encompass:

- corporate identity and logo
- design of office stationery
- communication with various audiences
- database
- publicity literature
- website
- media and public relations

The Developers, Guildford Borough Council, and the Housing Association will have communication plans and budgets for promotion of the development and the provision of information. It will be useful for these to be planned (if not brought together) where appropriate for cost efficiency as well as to ensure a clear and consistent message to the various audiences.

8.1 TOOLS FOR COMMUNICATION AND PROMOTION

The Trust will have a number of audiences with which it will communicate with regularly. These will include:

- residents of Wisley Airfield and surrounding communities
- operational staff within core partners (Developer, house builders, and RSL)
- retailers and businesses in the area
- proposed tenants and users of the community facilities when available
- visitors to the facilities and users of new project initiatives
- potential funding and contractual partners
- Guildford Borough and Ockham Parish Council elected members and officers and Surrey County elected members and officers

- Other public agencies: Local Primary and Secondary Schools, Police, GPs for example
- Local voluntary and community organisations
- Others with influence on the area

There are a number of marketing tools and resources available which will be utilised by the trust, some of which are summarised below.

8.1.1 Membership and Database

Voluntary, community, and public organisations have been involved with the consultation over the development over recent years. A database of contacts, stakeholders, members, and suppliers has been created by the developer partners and subject to data protection rules, will be extended as a very important tool for use by the Trust. The Trust will be exempt from registration under the Data Protection Act.

8.1.2 Promotion Literature

The marketing and promotion is likely to be both formal through banners, newsheets, flyers, web-site, meetings, and informal through word of mouth by getting out and about and talking to individuals and groups.

The Trust will produce introductory cards and portable banners to be used at events to promote its existence, vision, aims and activities, as well as to promote membership.

8.1.3 Website

The Trust will plan and build a website which promotes the Trust and its activities as well as providing news and information from a community perspective, and ideally to provide links and dovetail with the websites of other core partners.

The site will continue to evolve with time, information availability, and experience.

8.1.4 Media and Public Relations

The Trust will make effective use of the media to raise profile and inform its various audiences. This will be planned in partnership with the develop marketing teams. There are a number of good activities and events that afford PR opportunities, including its formation, the opening of community facilities, as well as key successes.

8.1.5 Outreach

Outreach and associated community development work will be a fundamental feature of the Trust's work and profile. In particular, every home will be visited with a Welcome card which will include information on the Trust, and consultation feedback will be used to inform the initial community development activities.

8.1.6 Community Engagement

Community engagement will be at the heart of the Trust's operation and will be a key factor in determining the success of the community development work and community building. The challenge is to foster and develop the involvement of a wide range of local people, so that:

- The Trust develops and provides effective services which reflect local priorities and supports the aspirations of families, individuals and the local community.
- Local people strongly identify with the Trust, the green open spaces, the Village Hall and its activities.
- Foundations are laid for long-term community engagement in the management and governance structures.
- The Trust dovetails and complements the role of wider groups within the area.

9. Action Plan

The focus of this outline Business Plan is on developing an appropriate organisation that effectively manages the SANG open spaces, community facilities, and provides bus funding support and responds to the needs of the new local community. The Trust will need to be established at the beginning of the development and respond clearly to the expectations of partners, stakeholders and local residents.

The objectives for the twelve months leading to first occupation of the development are to:

- (i) build the Trust infrastructure through engaging key partners, appointing Directors, and building skills and capacity;
- (ii) plan and prepare the management arrangements for the SANG area and the timing of the transfer of responsibilities to the Trust;
- (iii) plan and prepare the management arrangements for the delivery of local bus services and associated subsidy, and the timing of the transfer of responsibilities to the Trust;
- (iv) prepare, negotiate and agree design and specification for the community building.
- (v) develop practical project initiatives that meet the Trust's aims with regard to the arrival of the first new residents and achieve demonstrable success(es)
- (vi) In conjunction with the developer to refine the funding model for the Community Trust, and prepare an updated Scheme of Endowment including review of costs and income from proposed or actual endowed assets as allowed for in the obligations and conditions of the planning consent.

The principles expressed throughout the Plan above highlight local ownership, community benefit and mutual support. Implicit within these principles is an entrepreneurial approach and culture, vital for the Trust's long term growth and success. Specific objectives will be developed as the Business Plan is implemented over coming months.

9.1.1 SHORT TERM PRIORITIES

The proposed activity programme (section 3) provide a guide as to the priorities and outcomes to be achieved in the first two years. If approval is given to proceed, the short term priorities are to:

- Establish a shadow board to guide the Trust's development
- Research and prepare detailed full Business Plan
- Ensure all necessary policies and procedures are appropriate and in place
- Develop marketing strategy, communicate initial developments and activities through web-site and other publicity
- Build Board of Trustees and co-opt as required for specialist skills

- Establish and nurture effective partnerships, particularly with service providers
- Agree any service level agreements to provide cost effective services without building undue or costly overheads
- Develop project initiatives for long term funding model
- Establish entrepreneurial culture for growth and development

APPENDIX A: Relevant Case Examples

There are over 500 Community Trusts across the UK, and each one is designed to respond to its own local circumstances and community needs and priorities. There is not one case example that exactly mirrors the needs of Wisley, but the principles are tried and tested over many decades with the following summary of case examples designed to illustrate comparative features.

1) Aldershot Urban Extension with 110ha SANGS

Wellesley Woodlands is a 110ha community woodland at the heart of the Aldershot Urban Extension. The MOD land is being developed by Grainger plc to include 3,850 new homes, two primary schools and community facilities.

Grainger appointed The Land Trust to manage the SANGs at Wellesley Woodlands through a combined endowment and service charge model. The Land Trust were given a 999 year lease of the SANGs and are delivering all the SANGs related obligations linked to the s.106 agreement required by the habitat regulatory assessment. The site is now managed in perpetuity, enabling local partners and volunteers to have an effective role in its management, providing jobs for on-site rangers, new pathways, trails, and car parks with demonstrable health, economic, educational, environmental and social benefits.

www.wellesleyhampshire.co.uk/

2) Chilmington Green, Ashford's 21st Century Garden City

A new 5,750 home development approved for Chilmington Green on the edge of Ashford, Kent has over 27 hectares of public open space and three community buildings to be managed in perpetuity. An options appraisal was undertaken in 2011 as to the best sustainable management solution. The developers and Ashford Borough Council wished to see a locally managed organisation able to maintain the public assets for collective benefit with local participative governance, whilst also being able to plan and support community development activities. All stakeholders agreed to proceed with setting up a new Community Trust for Chilmington to take responsibility for all the public assets and facilities. The Section 106 agreement provides for the endowment of significant commercial assets to the Trust to meet some of the Trust's annual operating budget, and to provide financial security in the long term. A full 20 year Business Plan was prepared in partnership with Ashford Borough council which included a financial model to enable its launch in Summer 2017 prior to first occupation in Summer 2018.

www.chilmington-green.co.uk

3) HCT Group

Hackney Community Transport (HCT) was originally founded in 1982 when around 30 local community groups in the London Borough of Hackney pooled their vehicle resources, providing low cost minibuses to help the community to get out and about.

Now (in 2016) it operates over 500 vehicles, employs over 700 people and has a turnover of £45m, and as a charitable social enterprise reinvests its profits back into local community services. Its chief executive, Dai Powell, joined the social enterprise as a bus cleaner.

HCT aims to "demonstrate and promote the social enterprise business model as a highly effective and socially responsible mechanism", and maintains environmental, health and safety and social policies, and regularly measures its performance against these.

As the organisation has grown across London, into Yorkshire, Humberside and the Southwest, it has never neglected its Hackney roots, still providing its founding range of services, plus many more:

- Minibus hire – a low cost alternative: providing community groups, clubs and non-profit organisations with a financially supported scheme to access cheap minibuses - Group Transport. This service is financially supported by Hackney Council and by money reinvested from HCT Group's commercial contracts.
- YourCar: A low cost, fully accessible alternative to minicab hire – designed to help people with disabilities or mobility difficulties where a regular minicab or taxi doesn't meet all of their needs. Vehicles are fully wheelchair accessible and drivers are trained to be able to help their passengers from door to vehicle to door.
- Minibus driver training: Minibus Driver Awareness Scheme (MiDAS) training, helping community group members drive vehicles themselves, saving on having to hire a driver with their vehicle.
- Route 812: A unique community-designed hail and ride route that helps older people and people with disabilities to get out and about
- Mobility scooters: Working in partnership with several local authorities in London, deliver a variety of innovative schemes that loan out or hire mobility scooters for people who would not otherwise be able to access them.

www.hackneyct.org/

4) Chatham Maritime Trust

Chatham Maritime Trust (CMT) was formed in 1997 to take on the long-term management and maintenance responsibilities of the 350 acre Chatham Maritime Estate, at the time one of the major urban regeneration sites in the country.

CMT is a registered charity (no 1055710) and a company limited by guarantee. The Trust has four member organisations: Medway Council, HCA and the Estate's two occupier associations: St Mary's Island Residents Association Ltd (residential) and South Maritime

Residents Ltd (non-residential). The member organisations each have rights of nomination for Trustee appointments (the HCA one and the others two each) and the Trustee Board typically also includes four or five "Independent Trustees" who are usually local professionals with relevant skills.

The Trust already owns significant parts of the Chatham Maritime Estate, and acquires further sites as development completes. Eventually the Trust will own virtually all of the public domain of the Estate, and will be responsible for maintaining its public parks and play areas, flood defences and riverside walks, bridges, roadways, cycleways, footpaths, public art and monuments, and Village Hall.

The Trust receives funding for maintenance of the Estate from three areas: service charges on businesses, rent charges on 2,000 homes, and from the Trusts £17m endowment funds and property. The maintenance expenditure at Chatham Maritime is in the order of a million pounds a year.

CMT also plays a role in supporting the growing community at Chatham Maritime and community activities in the Medway Towns generally. The Trust does this through its Community Fund which it uses to promote events, and to sponsor or support community groups.

www.cmtrust.co.uk

5) Milton Keynes Park's Trust

The Parks Trust, formally known as Milton Keynes Parks Trust, was established by the Milton Keynes Development Corporation to own and manage, in perpetuity, the strategic open space in Milton Keynes. It took a 999 year lease of 4,500 acres and at the same time was given an endowment of around £20m. The endowment was mainly in the form of commercial property in Milton Keynes and the rental income is used to fund the Trust. Since then, some of that property has been sold and other assets acquired both in Milton Keynes and elsewhere, to ensure that the Trust does not have all its 'eggs in one basket'.

The Trust is a Company Limited by Guarantee and a registered Charity. The Articles state that the Primary Object is to provide, maintain and equip parks, gardens, landscaped areas, woodlands, open spaces, playing fields, playgrounds and recreational amenity spaces within the Borough of Milton Keynes and the environs, for the benefit of the inhabitants and visitors to the area. This land is referred to as the green estate.

The Secondary Objects of the Trust are to advance public education in the area of benefit, with particular regard to horticulture, arboriculture, wild plants and wildlife and to provide or assist in the provision of facilities for recreation or other leisure time occupation, in the interests of social welfare and with the object of improving the conditions of life for the inhabitants and visitors to the area.

The Board employs a Chief Executive, who is also the Company Secretary and has the responsibility for the day to day running of the Company. The Chief Executive leads the management team and has 43 employees (full time equivalents) comprising four sections:

Operations – the physical management of the green estate; inspections and safety checks of the parks, play areas and equipment and facilities; dealing with adverse possession

Community – liaison with the community, organising events and activities to 'animate' the parks, management of recreation and leisure uses including licences, environmental education, volunteer management

Communications – promoting and positioning the parks and the Trust; dealing with adverse publicity

Finance and admin – day to day management of finances, administration, preparation of annual accounts and management accounts; management of the Trust's investments.

It has a small Direct Works Team of seven staff but most of the physical landscape management work is undertaken by independent contractors who tender for the work.

<http://www.theparkstrust.com>

6) Graylingwell, Chichester

Graylingwell is the UK's largest zero carbon development being built at the old Graylingwell hospital site in the North-East edge of Chichester. The partnership between Linden Homes and Affinity Sutton Housing Association has completed over 600 homes of the 750 home development with 40% affordable housing. Chichester Community Development Trust was set up prior to first occupation, and owns and manages new or refurbished community facilities, and delivers on a range of related community, economic and environmental initiatives. The Trust was supported initially through tapered S106 funding and is increasingly funded and sustained by revenue from a series of community assets, from a resident levy, and successful heritage lottery programme.

A nearby new development at Rousillon Barracks outside the initial red-line area for Graylingwell also wanted the benefits of the Community Trust, and so now the Trust also runs the new community facility there and markets all its activities and services to the neighbouring communities. Havenstoke Park, an 85 acre historic open space at the entrance to Graylingwell, is to be adopted by the local authority with a commuted sum, who will in turn consider the best long term management regime, which is expected to be through the CDT.

www.chichestercdt.org.uk

7) Manor House Community Trust

The £1bn 20 year regeneration of Woodberry Down in Hackney has involved a mix of over 4,500 social rented, private and shared ownership homes, a range of new facilities including a Village Hall, health centre, new Academy, and extended primary school, as well as retail and commercial opportunities. The Council supported the establishment of Manor House Trust in 2007 which has initiated a range of community development projects at Woodberry Down, including those providing training and employment, so that local residents can benefit from the area's regeneration.

The Trust focuses on four main areas of work:

1. Championing the community and economic development of the area;
2. Development and management of land and buildings;
3. Planning and delivery of relevant local social, economic and environmental services;
4. Coordination and delivery of community engagement and community development activities.

The Trust has grown rapidly in its activity programme and status, winning various awards along the way. It recently moved into new Community Facilities which also brings significant income. Of particular note, is that the Trust has established two subsidiary partnership Community Interest Companies (CICs) as a way of providing training and employment opportunities, namely: [Woodberry Training Partnership CIC](#) and [Local Labour Hire CIC](#), and alongside managing The Redmond Village Hall will be managing the new retail units on the Old School Site, the first site of the Woodberry Down Regeneration Scheme. The revenue generated from these activities is fed back into other projects.

www.mhdt.org.uk

8) Letchworth Garden City

The very first Garden City in the UK was established in 1903 at Letchworth and to this day, the Letchworth Garden City Heritage Foundation manages the physical environment and public buildings, provides leisure and recreation facilities, and acts as the custodian of the ethos and design guide for the town of Letchworth consisting of some 32,000 households. It achieves this by deriving an income from its 770,000 sq.ft. of commercial space valued at £97m and yielding an annual income of £7.3m.

APPENDIX B:

Wisley Airfield Community Trust (“WACT”) Framework Document (Updated 3rd March 2017)

1. Introduction

A new settlement is proposed for Wisley Airfield of up to 2068 homes along with a care home and Gypsy / Traveller Pitches and ancillary facilities including a school, retail and business premises, sports infrastructure and green open space.

This new settlement and its public facilities will require a range of ownership and management structures to ensure that the whole area is maintained to a high standard both during the development and beyond. This paper sets out the principles for a new Community Trust for Wisley Airfield designed to own and resource the c.50ha of Suitable Alternative Natural Greenspace (“SANG”) for public benefit, to provide support for the long term bus service linking Wisley Airfield with local railway stations and service centres on a frequent basis, and to provide for community development activities to nurture and ensure a thriving community.

The details of this paper have evolved through consultation and describe the thinking to date under the following headings:

- Summary
- Objectives and Activities
- Governance and Management
- Resources and Endowment
- Appendix A: Examples of good practice of Community Trusts

2. Summary

The proposed new settlement at Wisley Airfield will create, enhance and safeguard around 50ha of Suitable Alternative Natural Greenspace (“SANG”). The associated housing and employment areas will require new local bus services linking Wisley Airfield with local railway stations and service centres on a frequent basis. A new Trust is proposed to own and resource the management of the SANG and to support these new local bus services, as well as take responsibility for the proposed community facilities and associated new local community development activities.

Wisley Property Investments Ltd propose to establish and resource a new Trust, Wisley Airfield Community Trust, managed by a board of Trustees derived from a range of interest groups. This Trust is likely to be an incorporated registered charity, and the associated trustees are in the short term appointments made by developers during the first few years whilst the site is being built out together with those nominated by the local Councils and specialist environmental / ecology and transport agencies. In the long term trustees are also anticipated to be nominated by local residents’ bodies.

The Trust will be formed with a series of objectives designed to provide public benefit to both existing and new local residents across three activity areas, namely:

- 1) Long term ownership following completion of the development (with handover in phases from the developer) and maintenance of the on-site SANG to be managed in accordance with the Information for Habitats Regulations Assessment P 14/67-2F dated November 2015, the Suitable Alternative Natural Greenspace – Outline Habitat Creation & Management Plan P 14/67-3D dated November 2015 and the Letter of Explanation, Revisions to SANG Design dated 25 February 2016 (the "SANG Management Plan"), and provision of SAMM Plus wardening of the Ockham and Wisley Commons element of the Thames Basin Heaths SPA.
- 2) Permanent provision of frequent bus transport services for Wisley Airfield residents, pupils and business employees to Effingham Junction / Horsley, Cobham and Guildford including "gap" subsidy funding where required.
- 3) Provision of community development activities designed to build a strong, healthy, and cohesive community of which everyone who lives, works or studies at Wisley Airfield can feel a part.

The Trust will employ its own Director to manage these activities on behalf of the Trustees, and is expected to either directly commission and fund specialist providers to deliver the services outlined, or may in some instances choose to employ the staff to deliver the services itself.

The Trust and its activities will be funded and resourced in the early years directly by the developers, and will then be endowed with income generating assets able to deliver sufficient annual income to support the Trust in perpetuity. In addition to these income generating assets, it is also proposed that office, and/or "touchdown space" will be provided for the Ranger and the Warden, and also for the use of Surrey Police community policing team. These facilities may be co-located with the Trust's office at, for example, the Village Hall building in the village centre. Other income will also be derived from sessional room hire in the Village Hall and income from other community assets, and from a resident levy intended to support community development activities in the long term.

Appendix A provides some examples of features of best practice from over 500 Community Trusts from around the UK.

3. Objectives and Activities of the Community Trust

The Trust will be formed with a series of objectives drafted with the potential to achieve charitable status designed to provide public benefit to both existing and new local residents across three activity themes, namely:

- 1) Long term ownership following completion of the development and handover in phases from the developer and maintenance of the on-site SANG to be managed in accordance with the SANG Management Plan, and provision of SAMM Plus wardening of the Ockham and Wisley Commons element of the Thames Basin Heaths SPA.
- 2) Permanent provision of frequent bus transport services for Wisley Airfield residents, pupils and business employees to Effingham Junction / Horsley, Cobham and Guildford including "gap" subsidy funding where required
- 3) Provision of community development activities designed to build a strong, healthy, and cohesive community of which everyone who lives, works or studies at Wisley Airfield can feel a part.

These activities will be underpinned with a responsibility to provide appropriate management and financial resources to ensure sustainability in perpetuity. Each of these three activity themes will be developed further below.

3.1 Ownership and maintenance of the on-site SANG

As the development is built out, c.50ha of SANG will be completed in phases to provide newly created natural managed open landscaped areas designed to 'divert' leisure activity away from the existing SPA to seek to achieve no net recreational impact on the SPA. Each SANG phase will be first prepared by the developer, and WACT will then be responsible for planning and commissioning its routine and cyclical maintenance in accordance with the standard stipulated in the planning conditions and/or s.106 agreement, prior to it then being formally transferred to the Trust. The phase 1 SANG area of 38.7ha will be prepared prior to first occupation.

The SANG will be managed, and SAMM Plus wardening carried out in accordance with the SANG Management Plan, being relevant documents contained within or supporting the Planning Consent.

It should be noted that this wardening activity will also support placemaking or community development activity designed to build a sense of local ownership and encourage environmental education.

In addition to these management and wardening costs, budgets have also been prepared for direct landscape maintenance costs and also for long term capital replacement of site infrastructure such as benches, fencing, interpretation boards, etc.

Indicative budgets for SANG Management and SAMM Plus wardening arrangements are summarised below:

Summary: SANG Maintenance and Capital Replacement	
Setup Costs Required	£2,345,528
Capital Replacement	
Capital replacements over 40 yrs cycle	£473,347
Contingency & Prelim @15%	£71,002
40yr capital replacements costs total	£544,349
Annualised Capital Replacement Cost	£13,609
Annual Maintenance Costs	
Phase 1	£15,950
Phase 2	£24,499
Phase 3 and Beyond	£26,645
Contingency & Prelim @15%	£3,997
Annual Maintenance Costs (beyond 2028)	£30,641
Annual Funding Required*	£44,250

* The point at which all three SANG phases are complete is anticipated to be 2028/29

Summary Table: SAMM Plus Wardening and Capital Replacement

Setup Costs Required	£523,882
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Annual Costs

Capital Replacements	£1,267
Maintenance costs	£55,828
Total Annual Costs	£57,095

The "SAMM Plus" wardening and rangers activity will also assist with the wardening of the adjoining Ockham and Wisley Common elements of the Thames Basin Heaths SPA as identified in the Wisley Airfield SANG Management Plan.

It is proposed that an office, and/or "touchdown space" be provided for both the Ranger / Warden, and also for the use of Surrey Police community policing team. This may be co-located with the WACT Director's office at, for example, the Village Hall building in the village centre. The Ranger / Warden will also carry out placemaking activities at the early stages of the development, to encourage patronage of the sustainable transport and bus facilities, appropriate dog walking behaviours, and community forum activities such as a demonstration wildlife garden, and community education projects. The ranger / warden will also be provided with living accommodation including a screened / fenced yard space for a skip and "pickup" or similar vehicle, and a workshop being for example an oversized domestic garage.

3.2 Sustainable Bus Transport Services

Bus transport will be a key feature of the sustainable transport solutions for Wisley Airfield, and provision will be required to ensure that these services are viable and sustainable in the long term.

The following local bus services are proposed (routes may be combined) Monday to Saturday from 0600 – 2300hrs:

Destination	SCC Base Service Level Frequency	Enhanced Frequency	Comment
Effingham Junction or Horsley	5 per hour	7 per hour (every 8 minutes)	Horsley offers extensive services including library, pharmacy, retail and leisure facilities.
Cobham	2 per hour	2 per hour	
Guildford	2 per hour	3 per hour	

The proposed services may be run on one of the following models, ie:

- as a first preference, a bus service coordinated, procured and project managed under a service level agreement by the Local Transport Authority (LTA), and the subsidy passed to them as required, or in the event that the LTA do not prefer or are unable to run the services with any required developer or WACT funded subsidy, offering best value; by direct contract with a bus operator; or by direct provision by the Community Trust.
- By direct contract with a bus operator, or

- By direct provision by the Community Trust.

The operational subsidy will be provided during construction of the development to deliver the level of service stipulated in the s.106 agreement and Travel Plan in accordance with the s.106 agreement. An enhanced level of service will also be provided in accordance with the Travel Plan in order to encourage higher levels of service use, which will in turn help to achieve the modal shift required to reduce regular car use.

On the assumption that patronage does not materially increase, the enhanced element of the service is predicted to require an ongoing subsidy, however if patronage does increase then there is a realistic prospect of the enhanced service achieving break even on completion of the development.

The Community Trust will be provided with assets to support a funding stream for this purpose. In the event that the enhanced level of service does successfully boost patronage so that a lower level (or no) subsidy is required, then this funding stream will be released from year to year, firstly to support on and off site infrastructure enhancements for Non-Motorised Users, and secondly to support the general aims and objectives of the Community Trust, as defined by its charitable purposes.

Where the level of patronage does not reach a level where the funding stream is sufficient to support an enhanced service, the service frequency will be reduced towards the SCC Base Service Level to a point where the funding stream covers any operational cost shortfall. Cross subsidy between individual bus routes may be appropriate to achieve the objective of a bus service to at least SCC Base Service Levels in perpetuity.

3.3 Place-making and Community Development

Wisley Airfield is intended to have a strong sense of community amongst residents (across all tenures) as well as being a place that people enjoy to visit for leisure or work. To achieve this, investment is required in place-making and community development activity.

WACT will initiate and deliver community development activities to build a strong and creative community where residents and others who work in or use the area, share a strong sense of belonging, pride and commitment to its future and wellbeing. This will be through, for example, a community newsletter, a community website, welcome events, and a range of large and small scale activities for all ages.

The Trust will also be well placed to lead on other social, economic and environmental initiatives which respond to the needs of the local residents. It will provide a suitable vehicle to take forward practical responses, for example, with regard to encouraging greener lifestyles or provision for young people, or employment support initiatives. It might also include management of non-SANG open space and facilities within the core development area, such as, for example, the village green, SuDS (Sustainable Drainage System) features, wildlife and green corridors, sports and community facilities (and potentially a coffee shop and hotdesk area), the MUGAs (Multi-Use Games Areas) and the all-weather sports pitch, club house and associated premises, all for the benefit of the residents (and schoolchildren attending the school) of the core development area. The Trust will also be responsible for the design, management and operation of the proposed new Village Hall which will be a key resource for the community and support the community development objectives.

An ability will be retained for other phases of development outside the core development area to actively participate in and benefit from the Community Trust subject to sufficient additional resources being made available to support an enhanced programme and area.

These activities will be achieved through the planning, development, resourcing and implementation of a range of relevant programme activities designed to encourage and support all aspects of community life. The Community Trust will aim to ensure this community development activity is supported into the long term, either directly through a resident levy derived from a rent charge or potentially from an appropriate precept-supported Parish Council orientated towards the new settlement at Wisley Airfield.

4) Governance and Management

Wisley Property Investments Ltd propose to establish and resource the new Trust, Wisley Airfield Community Trust, managed by a board of Trustees derived from a range of interest groups. This Trust is likely to be an incorporated registered charity and a company limited by guarantee with associated financial accounting and transparency requirements. The associated trustees are, in the short term, appointments made by the developers during the first few years whilst the site is being built out, together with those nominated by the local Councils and specialist environmental / ecology and transport agencies. In the long term, trustees are also anticipated to be nominated by local residents bodies. The board may also wish to appoint non-voting advisory members from time to time with regard to particular matters of specialism

The "area of benefit" for WACT is suggested as Wisley Airfield (being the core development area) and the immediate surrounds including the Ockham and Wisley elements of the Thames Basin Heaths Special Protection Area in relation to SAMM Plus wardening. The proposed charitable objects of WACT designed to meet the activity themes outlined in section 2 will be to:

- I. provide, maintain, and equip parks gardens landscaped areas, woodlands, open spaces, playing fields, playgrounds, recreational amenity spaces, and other elements of the public realm within the Area of Benefit for the benefit of the inhabitants thereof;
- II. advance public education in the Area of Benefit for the benefit of the inhabitants thereof with particular regard to horticulture, arboriculture, wild plants, and wildlife;
- III. provide or assist in the provision of facilities for recreation or other leisure time occupation in the interests of social welfare and with the object of improving the conditions of life for the inhabitants of the Area of Benefit;
- IV. promote the conservation, protection, management, maintenance, and improvement of the physical and natural environment in the Area of Benefit for the benefit of the inhabitants;
- V. provide a subsidy to transport services for the inhabitants of the Area of Benefit
- VI. promote, protect, preserve and advance all or any aspects of the health of the inhabitants of the Area of Benefit; and
- VII. establish, manage or assist with the establishing and management of health facilities, Village Halls, arts centre, workshops, groups for educational play, deprived youth and old people in need and centres residential or otherwise for activities in the Area of Benefit all being for the benefit of the inhabitants thereof.

It is proposed that WACT be administered by a Board of seven Trustees. The terms of reference for their meetings, and their powers, obligations and duties will be set out in the constitutional document (the Articles of Association). The guiding principles for the Trustees will evolve through discussion and are likely to be along the following lines:

- 7 trustees in total, including
 - Chairman (appointed by WPIL or the developer of Wisley Airfield until completion of the development, and thereafter appointed annually by the Board).
 - Transport Trustee, appointed by the prevailing competent local transport authority, currently Surrey County Council (SCC). The vote of the Transport Trustee will be required to change the TBBP (see below) from that of the previous year.
 - Ecology Trustee, appointed by the prevailing competent ecology authority with responsibility for the Thames Basin Heaths Special Protection Area, currently Natural England, or their appointed representative. The vote of the Ecology Trustee will be required to change the SBBP (see below) from that of the previous year.
 - Three community trustees (one of whom may be appointed Chairman), appointed by WPIL or the developer until completion of the development, and subsequently by the Parish Council subject to the approval of the Local Planning Authority, or by the LPA where the Parish Council fails to nominate.
 - Co-opted trustees with specialist contributions or to meet skills gaps
- No personal liability (protected by the incorporated status of the charitable company)
- Unpaid, but expenses for time travel and subsistence reimbursed on an annual allowance basis, subject to attendance at meetings
- No fewer than 4 meetings per annum, including an Annual Meeting which will encourage public participation. Other meetings to be held in private, but with an opportunity for public petition or attendance at the discretion of the Trustees. Redacted minutes to be published as appropriate in the wider community.
- Meetings to be quorate with four Trustees, with the Chairman holding a casting vote. Notice of meetings published no less than 21 calendar days in advance, with agenda papers issued 7 days in advance, with redacted versions published.
- First year's budget and business plan will be drafted by WPIL, and approved by the Local Planning Authority (GBC), Local Transport Authority (SCC), and competent wildlife body (Natural England) or their appointees. This Budget and Business Plan ("BBP") will set the budget apportionments for assets, income and expenditure between the categories of Aims and Objectives, and set the service levels for the services proposed to support them. The BBP will be drafted in three elements;
 - The Transport BBP ("TBBP")
 - The SANG / SAMM Plus BBP ("SBBP")
 - The Community BBP ("CBBP")

The trustees will be initially appointed through invitation and selection of core partners to ensure a mature and experienced team able to lay strong foundations. With time they will be replaced with wider stakeholder interests from within the new community. Arrangements for substitutes to attend meetings may be considered.

Implementation Agreement to Safeguard Objectives and Resources

It is proposed that the aims and intentions of WACT will be protected by a legally binding contract called an Implementation Agreement, signed by the various stakeholders (it is envisaged that these will include the planning authority, Natural England, the County Council, and the developer). This is designed to ensure that the original plans for the operation of the Trust and criteria for its

activities are protected by means of, for example, appropriate step in rights for Guildford Borough Council to the tenure, management and asset funding stream for the SANG / SAMP Plus, in the event of changes to trustees, endowment asset performance or other unforeseen eventualities, and that unanimous consent is required from the foundation partners before the structure or business of WACT can be amended in any way. This performs much the same function as a shareholders' agreement in a commercial joint venture. The delivery of the Implementation Agreement will be secured by means of planning obligation in the s.106 Agreement prior to Implementation (as defined within the s.106 agreement) of the development.

This Implementation Agreement will also ensure that funds generated from the endowment are ring-fenced for the specific intention originally designated and cannot be applied elsewhere without the full agreement of all parties, and that the funding and obligations of WACT are safeguarded in perpetuity.

The specific agreement of the Transport Trustee will be required where a variation to the bus service level or priorities is proposed, or material sustainable transport budget allocation change from that set out in the original constitutional documents of the Community Trust (as per that outlined above).

Executive Management

The Trust will require its own executive management function to inform and guide the setting up and early implementation of the Trust. The Board of Trustees will then determine the secretariat and administration arrangements from time to time, including the extent of outsourcing of services and the letting of relevant contracts.

The Trust may employ its own Director/Clerk to manage these activities on behalf of the Trustees, and is expected to either directly commission and fund specialist providers to deliver the services outlined, or may in some instances choose to employ the staff to deliver the services itself. By way of example, a full/part time Director could be employed directly by the Trust, or by a contractor. The Director's duties are likely to include:

- Arranging and servicing the meetings of the Board
- Managing, maintaining and supervising the contractual arrangements with service providers and subcontractors
- Managing and employing any direct labour or assistant clerks
- Setting up and administering the WACT bank accounts (potentially with Trustee mandate holders) and overseeing all record keeping and financial matters
- Managing and supporting volunteers
- Liaising with Police, SANG Ranger / SAMP Plus warden, community workers, Parish Council
- Either directly, or by subcontract
 - Managing the income producing asset base, including the advertising and arranging or lettings, collection of rents, holding of deposits, maintenance management and repair of property etc.
 - Providing local bus services - as a first preference, a bus service coordinated, procured and project managed under a service level agreement by the Local Transport Authority (LTA), and the subsidy passed to them as required, or in the event that the LTA do not prefer or are unable to run the services with any required developer or WACT funded subsidy, offering best value; by direct contract with a bus operator; or by direct provision by the Community Trust.

- Providing wardening and ranging services, either by direct labour / contract, or contracted with a service outsourcing partner.
- Managing the community asset base, including the repair, maintenance and management of the community assets such as Village Hall, grass and all weather sports facilities, open space etc. This may be administered directly with employed or subcontracted support or contracted with a service outsourcing partner.
- Monitoring and managing the Travel Plan.
- Maintaining the WACT website and other social media.

It is proposed that WACT provide funding for the activity areas either to delivery partners / authority (such as a wildlife body, management company or Transport Authority) or directly by its own provision, as appropriate. It is possible that the SANG management and SAMM Plus wardening activity may be contracted to a suitable partner, who may also undertake the management of elements of informal open space. It is also possible that that partner may also contract to support the secretariat of WACT.

5. Resources and Endowment

The Trust and its activities will be funded and resourced in the early years directly by the developers, and will then be endowed with income generating assets able to deliver sufficient annual income to support the Trust in perpetuity.

In addition to these income generating assets, it is also proposed that office, and/or "touchdown space" will be provided for the Ranger and the Warden, and also for the use of Surrey Police community policing team. These facilities may be co-located with the Trust's office at, for example, the village hall building in the village centre.

The anticipated funding requirements (excluding inflation) will be confirmed in the WACT Endowment Scheme which will be expected to provide annual sums as summarised below:

Activity Theme	Sub area	Indicative Funding requirement (annual)	Comment
Transport (TBBP)	Bus support (Operational)		Operational Subsidy funding during construction of the development to be provided by WPIL / developer in accordance with the s.106 agreement
	Bus support (Additional)	Circa £280,000	Additional Subsidy funding in accordance with the Travel Plan
SANG / SAMM Plus (SBBP)	SANG establishment and project management		Funding during construction of the development to be provided by WPIL / developer in accordance with s.106 agreement
	Rangering, wardening, maintenance and capital replacement	Circa £185,000	Funding level pa from full management of all phases

Total Annual Funding	Circa £ 465,000	These indicative figures will be confirmed in the WACT Endowment Scheme
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Community (CBBP)	Setting up Community Trust and support for community development	£576,480 over ten years to be tapered out as viability reached	Anticipated start up and early running costs of Trust, community placemaking projects, income / cost shortfall from hire of community assets These indicative figures will be confirmed in the WACT Endowment Scheme
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Funding Proposal and Asset Base

To resource this funding requirement, it is proposed that funds and assets are provided for WACT in accordance with the WACT Endowment Scheme on the following basis:

- 1) Start-up costs and early years programme funding provided directly by WPIL or in cash;
- 2) Provision of assets to produce an income stream currently estimated at £465,000 pa. The details of the asset mix and quantum will be confirmed nearer the time of providing the endowment depending upon prevailing market conditions, but are anticipated to comprise, for example, open market dwellings whose income would be sufficient to meet the funding requirements;
- 3) Management and maintenance of operational assets including 1x 2 bedroom dwelling for the purposes of accommodating the SAMM Plus warden incorporating workshop / garage hard standing and skip area, plus office / touchdown space for the WACT office, the Police officer, and the SAMM Plus Warden;
- 4) Management and maintenance of community assets such as the village hall, Multi-use Games Areas, village green, public open space, LEAPS (Local Equipped Areas for Play), all weather pitches and clubhouse, whose income on completion of the development is anticipated to meet their maintenance costs pending their possible transfer to a precept-raising Parish Council;
- 5) Establishing an index linked Rent Charge Deed on all properties prior to sale, expected to be in the region of an average of £100 per property in accordance with the WACT Endowment Scheme, to support community development work and sustainability of associated community assets.

The developer will provide for set up costs of the Trust, the funding of the transport subsidy, and the funding of SANG management in the early years until the provision of the WACT Endowment Scheme assets which will then support the Trust's responsibilities in the long term.

In the event of any surplus funding, this to be applied to furthering of the Objects of WACT as directed by the Board of Trustees.

Related Documents

	Document	s.106 / Condition
1	Travel Plan – detailing, inter alia, the level of enhanced bus service to be delivered during construction of the development, and thereafter in perpetuity	tbc
2	s.106 Agreement - funding obligations - detailing the level of unenhanced service to be provided during construction of the development, and thereafter in perpetuity	tbc
3	WACT Endowment Scheme	tbc
4	WACT Implementation Agreement	tbc
5	SANG Management Plan, being <ul style="list-style-type: none"> • the Information for Habitats Regulations Assessment P 14/67-2F dated November 2015 • the Suitable Alternative Natural Greenspace – Outline Habitat Creation & Management Plan P 14/67-3D dated November 2015 • the Letter of Explanation, Revisions to SANG Design dated 25 February 2016 	s.106

APPENDIX C:

Indicative cashflows for Community Trust:

- Summary
- Core including community development
- SANG and SAMM Plus
- Transport subsidy

COMBINED SUMMARY

Year	Years 1-15														
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
No. residential properties delivered			76	134	167	220	158	204	224	209	181	208	154	152	
Total no. of residential properties delivered (cumulative)			76	210	377	537	695	899	1,115	1,325	1,506	1,714	1,868	2,000	2,000
INCOME															
Developer contribution - initial Trust start up grant	629,820	29,000	40,600	70,775	58,155	101,370	88,060	72,085	50,140	36,155	16,105	1,100			
Developer contribution for SAGS	667,743	26,752	101,438	177,851	177,851	394,410	636,009	309,476	255,865	158,045	114,740	64,976	32,917	0	
Developer contribution for Transport Subsidy	2,968,065			520,482	480,527	394,410	636,009	309,476	255,865	158,045	114,740	64,976	32,917	0	
Developer Contribution	4,266,628	54,752	142,038	798,108	736,533	890,790	724,569	536,421	444,871	272,245	121,585	66,076	32,917	0	
Net Income from Endowment Scheme	3,611,659	0	0	0	0	182,851	182,851	182,851	182,851	182,851	182,851	182,851	182,851	182,851	182,851
Income - Community Facilities	270,000	0	0	0	0	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000
Resident contribution at £100 average per property per annum	7,076,500	0	0	3,375	12,825	28,415	41,130	55,440	71,415	90,390	105,840	127,395	144,900	160,250	170,150
Interest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Other (fundraising, sponsorship, in-kind)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Income	9,117,816	54,752	142,038	781,033	782,978	724,781	972,469	930,827	862,236	796,091	756,091	710,827	693,056	673,011	673,011
EXPENDITURE															
Core Costs, Community facilities and Community Development Work	1,839,900	28,000	40,600	80,600	84,600	147,500	152,500	158,500	163,500	170,000	176,500	181,000	180,500	180,500	181,000
Transport subsidy	4,924,617	0	0	520,482	480,527	394,410	636,009	309,476	255,865	158,045	114,740	64,976	32,917	276,551	276,551
SAGS and SAGM - management	2,313,402	26,752	101,438	177,851	177,851	394,410	636,009	309,476	255,865	158,045	114,740	64,976	32,917	184,851	184,851
Total Expenditure	9,077,919	54,752	142,038	781,033	782,978	724,781	972,469	930,827	862,236	796,091	756,091	710,827	693,056	644,902	644,902
Income less expenditure	38,897	0	0	0	0	0	0	0	0	0	0	0	0	28,109	28,109
Cumulative balance	0	0	0	0	0	0	0	0	0	0	0	0	0	11,790	39,899

NOTES:
Zero % inflation assumed

SANG MANAGEMENT / SAMM PLUS WARDENING

Financial Year	Notes	1	2	3	4	5	6	7	8	9	10	11	12	13	14	TOTAL
	Inc. residential properties delivered			36	31	210	377	331	320	188	205	181	205	134	152	2,001
	Total no. of residential properties delivered (cumulative)			36	31	210	377	331	320	188	205	181	205	134	152	2,001
	INCOME															
	Envelope contribution		171,439	177,851	177,851	177,851	177,851	182,851	182,851	182,851	182,851	182,851	182,851	184,851	184,851	184,851
	Net income from endowment															
	Total Income		171,439	177,851	177,851	177,851	177,851	182,851	182,851	182,851	182,851	182,851	182,851	184,851	184,851	184,851
	EXPENDITURE															
	Project Officer		47,845	67,128	67,128	67,128	67,128	67,128	67,128	67,128	67,128	67,128	67,128	67,128	67,128	67,128
	Manager		23,273	23,273	23,273	23,273	23,273	23,273	23,273	23,273	23,273	23,273	23,273	23,273	23,273	23,273
	Education and Community Officer		47,835	47,835	47,835	47,835	47,835	47,835	47,835	47,835	47,835	47,835	47,835	47,835	47,835	47,835
	SAMM Warden		5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000
	SAMM Operational Costs		8,000	8,000	8,000	8,000	8,000	8,000	8,000	8,000	8,000	8,000	8,000	8,000	8,000	8,000
	SAMM Operational Costs		12,915	12,915	12,915	12,915	12,915	12,915	12,915	12,915	12,915	12,915	12,915	12,915	12,915	12,915
	Management and specialist professional support		13,000	13,000	13,000	13,000	13,000	13,000	13,000	13,000	13,000	13,000	13,000	13,000	13,000	13,000
	Annualised capital replacement															
	Total Expenditure		107,438	177,851	177,851	177,851	182,851	182,851	182,851	182,851	182,851	182,851	182,851	184,851	184,851	184,851
	Income less expenditure		63,001	63,001	63,001	63,001	63,001	63,001	63,001	63,001	63,001	63,001	63,001	63,001	63,001	63,001
	Cumulative balance		0	63,001	126,002	189,003	252,004	315,005	378,006	441,007	504,008	567,009	630,010	693,011	756,012	819,013

NOTES:
 Zero % inflation assumed
 Costs based on estimates provided by EPS and validated operationally by Surrey Wildlife Trust
 1. Endowment income derived by monthly sales prior to endowment proceeds disbursed to Trust
 Office and compound costs provided as in-kind support from developer and from the Trust

COMPANY NOT HAVING A SHARE CAPITAL**ARTICLES OF ASSOCIATION****WISLEY AIRFIELD COMMUNITY TRUST****PART A. INTRODUCTION****1 INTERPRETATION**

1.1 In these Articles:

“the Acts”	means the Companies Acts (as defined in Section 2 of the Companies Act 2006) insofar as they apply to the Company and any statutory modification or re-enactment thereof for the time being in force
“Area of Benefit”	means Wisley Airfield and adjacent areas including the Ockham and Wisley Common elements of the Thames Basin Heaths Special Protection Area [as delineated on the plan attached]
“the Articles”	means these Articles of Association of the Company
“the Board”	means the board of Directors of the Company and (where appropriate) includes a Committee and the Directors acting by written resolution
“Board Meeting”	means a meeting of the Board
“Business Day”	means any day other than a Saturday, Sunday, bank holiday or public holiday
“Chairman”	means (subject to the context) either the person elected as Chairman of the Company under Article 19 or where the Chairman of the Company is not present or has not taken the chair at a meeting means the person who is chairing a Board Meeting or General Meeting at the time
“Charity Commission”	means the Charity Commission for England and Wales
“Clear Days”	in relation to a period of notice means the period excluding the day when the notice is given or deemed to be given and the day for which it is given or on which it is to take effect
“Committee”	means a committee of the Board exercising powers delegated to it by the Board

"Companies House"	means the office of the Registrar of Companies
"the Company"	means the company intended to be regulated by the Articles
"Company Member"	means a member for the time being of the Company who is admitted under Article 6
"the Council"	means Guildford Borough Council of Millmead House, Millmead, Guildford GU2 4BB
"the Councils"	means the Council and Surrey County Council
"the Developer"	means Wisley Property Investments Limited (Company Registration Number MC-272889) of PO Box 309 Ugland House, Grand Cayman, KY1-1104, Cayman Islands
"the Development"	means the development within the Area of Benefit pursuant to the Planning Application
"Director"	means any director of the Company who is appointed under Article 19
"Dwelling"	the residential units to be constructed as part of the Development pursuant to the Planning Application and "Dwellings" shall be construed accordingly
"Ecology Authority"	means the competent authority with responsibility for the Thames Basin Heaths Special Protection Area for the time being
"General Meeting"	means a meeting of Company Members
"Implementation Agreement"	means the agreement between the Company, the Developer, the Councils and the Ecology Authority concerning the Company and dated [date]
"including"	means "including without limitation" and "include" and "includes" are to be construed accordingly
"the Memorandum"	means the Memorandum of Association of the Company
"the Objects"	means the objects of the Company set out in Article 3
"Observers"	means those persons (other than Directors) present under Article 29 at a Board Meeting
"Planning Act"	the Town and Country Planning Act 1990
"Planning Application"	means the planning application submitted to the Council and registered under reference 15/P/00012

“Practical Completion Date”	means the date six months following practical completion of the final Dwelling of the Development or the date six months following the transfer of the freehold of the SANG to the Company, whichever is the later
“Registered Office”	means the registered office of the Company
“Resident”	means a person whose sole or main residence is, or who is an owner or tenant of business premises which are in, a property which has been developed as part of the Development
“SANG”	means the area of Suitable Alternative Natural Green Space to be provided as part of the Development
“Secretary”	means the secretary of the Company including a joint, assistant or deputy secretary
“Senior Officers”	means the Chief Executive and such other senior members of staff as the Board may designate as such
“Step in Rights”	means the rights of the Council to ensure the Company is meeting its obligations under the Implementation Agreement as further defined in that agreement
“Surrey County Council”	means Surrey County Council of County Hall, Penrhyn Road, Kingston upon Thames, Surrey, KT1 2DW
“Tenants”	means individuals occupying a property in the Area of Benefit under an assured or assured shorthold tenancy
“United Kingdom”	means Great Britain and Northern Ireland
“Vice-Chairman”	means a person elected as a Vice-Chairman of the Company under Article 19
“Working Party”	means a body established by the Board to make recommendations to the Board but without decision-making powers, including community groups or fora.

1.2 In the Articles:

- 1.2.1 terms defined in the Act are to have the same meaning;
- 1.2.2 references to the singular include the plural and vice-versa and to the masculine include the feminine and neuter and vice-versa;
- 1.2.3 references to “organisations” or “persons” include corporate bodies, public bodies, unincorporated associations and partnerships;
- 1.2.4 references to legislation, regulations, determinations and directions include

all amendments, replacements or re-enactments and references to legislation (where appropriate) include all regulations, determinations and directions made or given under it;

1.2.5 references to articles are to those within the Articles; and

1.2.6 headings are not to affect the interpretation of the Articles.

1.3 For the avoidance of doubt the system of law governing the Memorandum and the Articles is the law of England and Wales.

1.4 None of the model articles in the Companies (Model Articles) Regulations 2008 applies to the Company.

2 NAME

The name of the Company is Wisley Airfield Community Trust.

3 OBJECTS

The Company's Objects are specifically restricted to the following:-

3.1 to provide maintain and equip parks gardens landscaped areas woodlands open spaces playing fields playgrounds recreational amenity spaces and other elements of the public realm within the Area of Benefit for the benefit of the inhabitants thereof;

3.2 to advance public education in the Area of Benefit for the benefit of the inhabitants thereof with particular regard to horticulture arboriculture wild plants and wildlife;

3.3 to provide or assist in the provision of facilities for recreation or other leisure time occupation in the interests of social welfare and with the object of improving the conditions of life for the inhabitants of the Area of Benefit;

3.4 to promote the conservation, protection management maintenance and improvement of the physical and natural environment in the Area of Benefit for the benefit of the inhabitants thereof;

3.5 to provide a community transport service for the inhabitants of the Area of Benefit who are in need of such services because of age, sickness, disability (mental or physical) or poverty or because of a lack of availability of adequate and safe public transport;

3.6 to promote, protect, preserve and advance all or any aspects of the health of the inhabitants of the Area of Benefit; and

3.7 to establish, manage or assist with the establishing and management of health facilities, community centres, arts centres, workshops, groups for educational play, deprived youth and old people in need and centres residential or otherwise for activities in the Area of Benefit all being for the benefit of the inhabitants thereof.

4 POWERS

The Company may do anything that a natural or corporate person can lawfully do which is not expressly prohibited by the Articles in order to further the Objects (but not otherwise) and in particular it has powers:

Staff and Volunteers

- 4.1 to employ staff or engage consultants and advisers on such terms as the Board thinks fit and to provide pensions to staff, their relatives and dependants;
- 4.2 to recruit or assist in recruiting and managing voluntary workers, including paying their reasonable expenses;

Property

- 4.3 to purchase, lease, exchange, hire or otherwise acquire any real or personal property rights or privileges (including shared or contingent interests);
- 4.4 to construct, alter, improve, convert, maintain, equip, furnish and/or demolish any buildings, structures or property;
- 4.5 to sell, lease, license, exchange, dispose of or otherwise deal with property (subject to the restrictions in the Charities Act 2011);
- 4.6 to provide accommodation for any other charitable organisation on such terms as the Board decides (including rent-free or at nominal or non-commercial rents) subject to the restrictions in the Charities Act 2011;

Borrowing

- 4.7 to borrow and give security for loans;

Grants and Loans

- 4.8 to make and receive grants, donations or loans, to give guarantees and to give security for those guarantees (subject to the restrictions in the Charities Act 2011);

Fund Raising

- 4.9 to raise funds, to invite and receive contributions;

Trading

- 4.10 to trade in the course of carrying out the Objects and to charge for services;

Publicity

- 4.11 to hold, conduct or promote meetings, conferences, lectures, exhibitions or training courses and to disseminate information to publicise the work of the Company and other organisations operating in similar fields;
- 4.12 to promote or carry out research and publish the results of it;

Contracts

- 4.13 to co-operate with and enter into contracts with any person;

Bank or building society accounts

- 4.14 to draw, make, accept, endorse, discount, execute and issue promissory notes, bills, cheques and other instruments and to operate bank or building society accounts in the name of the Company;

Investments

- 4.15 to:-

4.15.1 deposit or invest funds;

4.15.2 employ a professional fund-manager and/or property or other asset manager; and

4.15.3 arrange for the investments or other property of the Company to be held in the name of a nominee

in the same manner and subject to the same conditions as trustees of a trust are permitted to do by the Trustee Act 2000;

Insurance

- 4.16 to insure the assets of the Company to such amount and on such terms as the Board decides, to pay premiums out of income or capital and to use any insurance proceeds as the Board decides (without necessarily having to restore the asset);

- 4.17 to insure and to indemnify the Company's employees and voluntary workers from and against all risks incurred in the proper performance of their duties;

- 4.18 to take out insurance to protect the Company and those who use premises owned by or let or hired to the Company;

- 4.19 to provide indemnity insurance for the Directors in accordance with, and subject to the conditions in, the Charities Act 2011;

Other Organisations

- 4.20 to establish, promote, assist or support (financially or otherwise) any trusts, companies, registered societies, associations or institutions which have purposes which include the Objects or to carry on any other relevant charitable purposes;

- 4.21 to co-operate or join with any charity, voluntary body or public or statutory authority or any other organisation in any location whatsoever in furthering the Objects or allied charitable purposes, to exchange information and advice and to undertake joint activities with them;

- 4.22 to amalgamate with any charity which has objects similar to the Objects;

- 4.23 to undertake and execute any charitable trusts;

4.24 to affiliate, register, subscribe to or join any organisation;

4.25 to act as agent or trustee for any organisation;

Reserves

4.26 to accumulate income in order to set aside funds for special purposes or as reserves against future expenditure;

Formation expenses

4.27 to pay the costs of forming the Company and of complying with all relevant registration requirements; and

General

4.28 to do anything else within the law which is incidental and conducive to the Objects.

5 APPLICATION OF FUNDS

5.1 General

The income and property of the Company must be applied solely towards promoting the Objects and (except to the extent authorised by this Article 5):

5.1.1 no part may be paid or transferred directly or indirectly by dividend bonus or profit to a Company Member; and

5.1.2 a Director may not directly or indirectly receive any payment of money or benefit from the Company.

5.2 Benefits to Members

Notwithstanding Article 5.1, the Company may make the following payments or grant the following benefits to Company Members:-

Interest and Rent

5.2.1 reasonable and proper interest on money lent by any Company Member to the Company;

5.2.2 reasonable rent, service charges or other payments properly payable under the provisions of any lease, agreement for lease or licence in respect of premises let by any Company Member to the Company or a reasonable hiring fee for premises hired by any Company Member to the Company;

Supply of Goods or Services

5.2.3 reasonable payments to a Company Member in return for goods and/or services supplied to the Company pursuant to a contract;

Out of Pocket Expenses

- 5.2.4 reasonable and proper out of pocket expenses to Company Members who are engaged by the Company as volunteers in the work of the Company and which are actually incurred by them in carrying out their work as volunteers; and

Benefits to Company Members

- 5.2.5 the grant of a benefit to a Company Member who is a beneficiary of the Company in the furtherance of the Objects.

5.3 Benefits to Directors

Notwithstanding Article 5.1, the Company may make the following payments or grant the following benefits to Directors:-

Out of pocket expenses

- 5.3.1 the reimbursement of reasonable and proper out-of-pocket expenses (including travel and dependants' care costs) actually incurred in enabling them to carry out their duties as Directors;
- 5.3.2 reasonable and proper out of pocket expenses to those Directors who are engaged by the Company as volunteers in the work of the Company and which are actually incurred by them in carrying out their work as volunteers;

Indemnity

- 5.3.3 an indemnity in respect of any liabilities properly incurred in running the Company (including the costs of a successful defence to criminal proceedings);
- 5.3.4 the benefit of indemnity insurance under Article 4.19;

Fees to companies in which Directors have negligible interests

- 5.3.5 a payment to a company in which a Director has no more than a 1% shareholding;

Interest and Rent

- 5.3.6 reasonable and proper interest on money lent by any Director to the Company;
- 5.3.7 reasonable rent, service charges or other payments properly payable under the provisions of any lease, agreement for lease or licence in respect of premises let by any Director to the Company or a reasonable hiring fee for premises hired by any Director to the Company;

Beneficiaries

- 5.3.8 benefits provided in furtherance of the Objects to Directors who are beneficiaries of the Company where those benefits are the same as or similar to benefits provided to other beneficiaries;

Employment/Supply of Goods and Services

- 5.3.9 payments to a Director who is employed by the Company or who enters into a contract for the supply of goods or services to the Company (other than for acting as a Director) provided that:-
- 5.3.9.1 the remuneration or other sums paid to the Director concerned do not exceed an amount that is reasonable in all the circumstances;
 - 5.3.9.2 the Director is absent from the part of any meeting at which there is a discussion of his employment or remuneration or any matter concerning the contract, his performance in the employment or his performance of the contract, any proposal to enter into any other contract or arrangement with him or to confer any benefit upon him and/or any other matter relating to payment or the conferring any benefit to him;
 - 5.3.9.3 the Director does not vote on any such matter and is not counted when calculating whether a quorum of Directors is present at the meeting;
 - 5.3.9.4 the other Directors are satisfied that it is in the interests of the Company to employ or to contract with the Director rather than with someone who is not a Director. In reaching that decision the Directors must balance the advantage of employing or contracting with a Director against the disadvantages of doing so (especially the loss of the Director's services as a result of dealing with the Director's conflict of interest);
 - 5.3.9.5 the reason for the Directors' decision is recorded in the minutes of the Board meeting; and
 - 5.3.9.6 at no time shall a majority of the Directors receive payment pursuant to this Article 5.3.9.

The employment or remuneration of a Director pursuant to this Article includes the engagement or remuneration of any firm or company in which the Director is a partner, an employee, a consultant, a director or a shareholder, unless the shares of the company are listed on a recognised stock exchange and the Director holds less than 1% of the issued capital;

Exceptional Circumstances

- 5.3.10 other payments or benefits (approved in writing in advance by the Charity Commission) in exceptional cases.
- 5.4 The provisions in this Article 5 on the making of payments and the granting of benefits by the Company to Directors shall also extend to payments made to Directors by any other company in which the Company
- 5.4.1 holds more than 50% of the shares; or

- 5.4.2 controls more than 50% of the voting rights attached to the shares; or
- 5.4.3 has the right to appoint one or more directors to its board.
- 5.5 For the purposes of Article 5.3 a payment to or a benefit granted to a dependant relative or the spouse of the Director or any person living with the Director as his partner shall be deemed to be a payment to the Director and shall be permitted to the same extent that payments to or benefits granted to Directors are permitted.
- 5.6 **Amendments**

This Article may not be amended without the prior written consent of the Charity Commission.

PART B. COMPANY MEMBERSHIP

6 COMPANY MEMBERS

6.1 The Company Members are:-

6.1.1 the subscribers to the Memorandum; and

6.1.2 others admitted to membership of the Company by the Board under the Articles.

7 ADMISSION OF COMPANY MEMBERS

7.1 A person may not be admitted by the Board as a Company Member:-

7.1.1 unless he has signed a written application to become a Company Member in such form as the Board requires;

7.1.2 for such period as the Board may deem appropriate if he has ceased to be a Company Member by reason of his having been removed as a Director under Article 21;

7.1.3 if he is in arrears of payments due to the Company by 45 days or more in respect of any estate rentcharge, service charge and/or any other charges or sums owed to the Company unless the Board resolves that there is good reason for the delay in making such payment;

7.1.4 unless he is either a Resident or appointed as a Director under Article 19;

7.1.5 if he is a Resident and there is already a Company Member that is a member of the same household or business;

7.1.6 unless he is aged 18 or over; or

7.1.7 if he would immediately cease to be a Company Member or Director under the Articles.

7.2 Subject to Article 7.1, if a person is a Resident and has signed a written application pursuant to Article 7.1.1 then the Board shall admit him as a Company Member.

7.3 Company membership is personal and not transferable.

8 TERMINATION OF COMPANY MEMBERSHIP

A person will cease to be a Company Member:-

8.1 on delivering written notice of resignation to the Registered Office;

8.2 if he dies, or being an organisation passes a resolution for winding up or otherwise ceases to exist;

- 8.3 if, having been a Resident on becoming a Company Member, he ceases to be a Resident;
- 8.4 if not having been a Resident on becoming a Company Member he ceases to be a Director;
- 8.5 if he is or becomes in arrears of payments due to the Company by 45 days or more in respect of estate rentcharge, service charge and/or any other charges or sums owed to the Company provided that he shall first have had reasonable opportunity to explain to the Board why he should not be removed; or
- 8.6 if the Board resolves to terminate his membership provided that he shall first have had reasonable opportunity to explain to the Board why he should not be removed.

9 LIABILITY OF COMPANY MEMBERS

- 9.1 The liability of the Company Members is limited.
- 9.2 Every Company Member promises, if the Company is wound up whilst he is a Company Member or within one year after ceasing to be a Company Member, to contribute such amount as is required up to a maximum of £1 towards:
 - 9.2.1 winding up the Company;
 - 9.2.2 the payment of the debts and the payment of the costs, charges and expenses of liabilities incurred whilst the contributor was a Company Member; and
 - 9.2.3 the adjustment of the rights of the contributories among themselves.

PART C. GENERAL MEETINGS

10 GENERAL MEETINGS

- 10.1 The Company shall hold an Annual General Meeting each calendar year, to be held at such time and place as the Board decides subject to Article 11. The business of the Annual General Meeting shall be:
- 10.1.1 to receive the annual Directors' report;
 - 10.1.2 to consider the accounts and the auditors' report;
 - 10.1.3 to appoint the auditors (if necessary); and
 - 10.1.4 to transact any other business specified in the notice convening the meeting.
- 10.2 Any other meeting of the Members other than the Annual General Meeting shall be called a General Meeting. The Board may call a General Meeting at any time, to be held at such time and place as the Board decides subject to Article 11.
- 10.2 On receiving a requisition from the percentage of Company Members required under the Act the Board must promptly convene a General Meeting.

11 NOTICE OF GENERAL MEETINGS

- 11.1 Every General Meeting must be called by at least 14 Clear Days' notice.
- 11.2 A General Meeting may be called by shorter notice if this is agreed by a majority in number of the Company Members who may attend and vote and who together hold 90% or more of the total voting rights of all of the Company Members at the General Meeting.
- 11.3 The notice must specify:-
- 11.3.1 the time, date and place of the General Meeting;
 - 11.3.2 if it is the Annual General Meeting, that it is such;
 - 11.3.3 the general nature of the business to be transacted; and
 - 11.3.4 if a special resolution is proposed, the fact that the proposed resolution is a special resolution and the wording of the resolution.
- 11.4 Subject to the Act no business may be transacted at a General Meeting except that specified in the notice convening the meeting.
- 11.5 Notice of a General Meeting must be given to all of the Company Members, the Directors, and to the Company's auditors (if any).
- 11.6 The accidental omission to give notice of a General Meeting to, or the non-receipt of

notice of a General Meeting by, any person entitled to receive notice will not invalidate the proceedings at that General Meeting.

12 QUORUM

- 12.1 No business may be transacted at a General Meeting unless a quorum is present.
- 12.2 Subject to Article 12.3, the quorum for General Meetings is 5% or 75 of the Company Members for the time being present in person or by proxy whichever is the lower, provided always that a General Meeting shall only be quorate if:
 - 12.2.1 at least one Company Member who is a Director appointed by the Councils is present;
 - 12.2.2 until the Practical Completion Date, a Company Member who is a Director appointed by the Developer is present; and
 - 12.2.3 at least two other Company Members who are also appointed as Directors under Article 19.2 are also present.
- 12.3 At a General Meeting which has been called to consider any special resolution, the meeting shall only be quorate if the Company Members appointed by the Councils and, until the Practical Completion Date, at least two Company Members who are appointees of the Developers are present.
- 12.4 A Company Member may be part of the quorum at a General Meeting if he can hear, comment and vote on the proceedings through telephone, video conferencing or other communications equipment.
- 12.5 If a quorum is not present within 15 minutes from the time of the General Meeting or a quorum ceases to be present during a General Meeting it must be adjourned to such time and place as the Board decides.
- 12.6 If at the adjourned meeting there are again insufficient Company Members present within 15 minutes from the time of the adjourned General Meeting to constitute a quorum then the meeting shall be dissolved.
- 12.7 Reasonable notice of an adjournment of a General Meeting because of a lack of quorum and the time and place of the adjourned General Meeting must be given to all Company Members.

13 CHAIRMAN AT GENERAL MEETINGS

- 13.1 The Chairman is to chair General Meetings.
- 13.2 If the Chairman is not present within 15 minutes from the time of the General Meeting or is unwilling to act then the Vice-Chairman, if any, must chair the General Meeting.
- 13.3 If neither the Chairman nor the Vice-Chairman, if any, is present and willing to act within 15 minutes from the time of the General Meeting, the Company Members

present must choose one of their number to chair the General Meeting.

14 ADJOURNMENT OF GENERAL MEETINGS

- 14.1 The Chairman may, with the consent of a General Meeting at which a quorum is present (and must if so directed by the General Meeting), adjourn it to a time and place agreed by the General Meeting.
- 14.2 The Chairman may also adjourn a General Meeting if it appears to the Chairman that for any other reason an adjournment is necessary for the business of the meeting to be properly conducted.
- 14.3 The only business that may be transacted at an adjourned General Meeting is that left unfinished from the General Meeting that was adjourned.
- 14.4 It is not necessary to give notice of a General Meeting which is adjourned under Article 14.1 or 14.2 unless it is adjourned for 30 days or more in which case 7 Clear Days' notice must be given.
- 14.5 Resolutions passed at an adjourned General Meeting are to be treated as having been passed on the date on which they were actually passed.

15 VOTING AT GENERAL MEETINGS

- 15.1 Resolutions are to be decided on a show of hands unless a ballot is properly demanded.
- 15.2 Subject to Articles 15.3 and 15.4, each Company Member present in person or by proxy has one vote both on a show of hands and a ballot.
- 15.3 On a ballot, the Company Members voting who are Residents shall have a maximum of 50% of the votes divided equally between them.
- 15.4 On a ballot prior to the Practical Completion Date, the Company Members who are Directors appointed by the Developer shall have a minimum of 26% of the votes divided equally between them.
- 15.5 If there is an equality of votes on a show of hands or a ballot the Chairman is entitled to a second or casting vote.
- 15.6 An objection to the qualification of any voter may only be raised at the General Meeting at which the vote objected to is tendered. Every vote not disallowed at the General Meeting is valid. An objection made in time must be referred to the Chairman whose decision is final.
- 15.7 A declaration by the Chairman that a resolution has been carried (or not carried) unanimously, or by a particular majority, which is entered into the minutes of the meeting is conclusive evidence of the fact unless a ballot is demanded.

16 BALLOTS

- 16.1 A ballot may be demanded by the Chairman or by any two Company Members before or on the declaration of the result of a show of hands.
- 16.2 A demand for a ballot may be withdrawn before the ballot is taken. If the demand for a ballot is withdrawn the result of the show of hands will stand.
- 16.3 The demand for a ballot will not prevent the General Meeting continuing to transact business other than in relation to the question on which the ballot is demanded.
- 16.4 A ballot is to be taken as the Chairman directs. The Chairman may appoint scrutineers (who need not be Company Members) and set a time and place to declare the result. The result will be the resolution of the General Meeting at which the ballot was demanded but will be treated as passed when the result is declared.
- 16.5 A ballot on the election of a Chairman or an adjournment must be taken immediately. A ballot on any other question may be taken either immediately or at such time and place as the Chairman directs.
- 16.6 At least 7 Clear Days' notice must be given of the time and place at which the ballot is to be taken unless the time and place are announced at the General Meeting at which it is demanded.

17 PROXIES

- 17.1 A Company Member may validly appoint a proxy by notice in writing which:
 - 17.1.1 states the name and address of the member appointing the proxy;
 - 17.1.2 identifies the person appointed to be that member's proxy and the General Meeting in relation to which that person is appointed;
 - 17.1.3 is signed by or on behalf of the member appointing the proxy, or is authenticated in such manner as the Directors may determine; and
 - 17.1.4 is delivered to the Company in accordance with the articles and any instructions contained in the notice of the General Meeting to which they relate.
- 17.2 A proxy need not be a Company Member. The Board may from time to time prescribe a form to appoint a proxy by standing orders made under Article 38. A proxy may not appoint another proxy.
- 17.3 The document appointing a proxy may instruct the proxy which way to vote on particular resolutions.
- 17.4 A proxy will only be valid if the document appointing a proxy (and any power of attorney or other authority (if any) under which it is signed) or a properly certified copy is deposited at the Registered Office at least 24 hours before the starting time for the General Meeting or adjourned General Meeting at which the proxy proposes to vote.
- 17.5 No document appointing a proxy will be valid for more than 12 months.

17.6 A vote given or ballot demanded by proxy is to be valid despite:-

17.6.1 the revocation of the proxy; or

17.6.2 the death or insanity of the principal

unless written notice of the death, insanity or revocation is received at the Registered Office before the start of the General Meeting or adjourned General Meeting at which the proxy is used.

17.7 A proxy form will not be valid for any part of a General Meeting at which the Company Member who appointed the proxy is present.

18 COMPANY MEMBERS' WRITTEN RESOLUTIONS

18.1 A written resolution approved by a simple majority (or in the case of a special resolution by a majority of not less than 75%) of eligible Company Members (provided that those Company Members would constitute a quorum at a General Meeting) is as valid as if it had been passed at a General Meeting provided that:

18.1.1 a copy of the proposed resolution has been sent to every eligible Company Member;

18.1.2 a simple majority (or in the case of a special resolution a majority of not less than 75%) of Company Members have signified their agreement to the resolution; and

18.1.3 such agreement is contained in an authenticated document that has been received at the Registered Office within the period of 28 days beginning with the circulation date.

18.2 A resolution under Article 18.1 may consist of several documents in similar form each approved by one or more Company Members.

PART D. DIRECTORS

19 APPOINTMENT OF DIRECTORS

- 19.1 The first Directors shall be those named in the registration documents as sent to Companies House.
- 19.2 Subject to Article 19.3 and Article 19.12:
- 19.2.1 the Council shall have the right to appoint one person as a Director in accordance with Article 19.5;
 - 19.2.2 prior to the Practical Completion Date, the Developer shall have the right to appoint up to three Directors in accordance with Article 19.5;
 - 19.2.3 Surrey County Council shall have the right to appoint a Director in accordance with Article 19.5;
 - 19.2.4 the Ecology Authority or such other body as the Ecology Authority may nominate shall have the right to appoint a Director in accordance with Article 19.5. If, following a request for a nomination, no such nomination has been received within three months, then prior to the Practical Completion Date the Developer may appoint a person to fill this position. Following the Practical Completion Date, the Board may appoint a person to fill such a vacancy;
 - 19.2.5 the Board shall use reasonable endeavours to ensure that up to three Residents are appointed as Directors in accordance with Article 19.7; and
 - 19.2.6 the Board may appoint up to two further Directors for their skills or experience.
- 19.3 No person may be appointed as a Director:
- 19.3.1 unless he/she is over 18;
 - 19.3.2 if he/she would immediately cease to be a Director under Article 21.
- 19.4 The appointment of a Director is not to take effect until he has confirmed his consent to act as required by Companies House. The appointment of any person as a Director who has not done so within one month of appointment is to lapse unless the Board resolves that there is good cause for the delay.
- 19.5 Subject to Articles 19.3 and 19.4 the appointment or removal of a Director under the Articles is to take effect when the appointing body gives written notice of the appointment or removal to:
- 19.5.1 the Registered Office;
 - 19.5.2 a Board Meeting; or
 - 19.5.3 the Secretary in person.

- 19.6 Each Director appointed under Article 19.2 is to hold office until the start of the first Board Meeting after a term as near as possible to three years from his appointment, but is eligible for reappointment. In respect of Directors appointed in accordance with Articles 19.2.1 to 19.2.4, such reappointment to take place automatically if not opposed in writing by the relevant organisation in respect of their respective appointees.
- 19.7 The Board shall use its reasonable endeavours to ensure that Residents are appointed as follows:
- 19.7.1 prior to the Practical Completion Date, the Developer may appoint up to three Residents as Directors following such process of selection as the Developer may determine;
- 19.7.2 following the Practical Completion Date, the Board shall invite nominations for up to three Residents for appointment by the Board as Directors as vacancies arise, following such process of selection as the Board may determine. In the event that, following an invitation for nominations from the Board to the relevant parish council, the parish council fails to make a nomination within such reasonable period as the Board may decide, the Board may invite the Council to propose Residents for appointment according to this Article.
- 19.8 Residents appointed as Directors shall, subject to Article 21, hold office for a term as near as possible to three years. Residents who are retiring may be re-appointed under the procedures set out in Article 19.7.
- 19.9 Subject to Article 7, each Director shall be a Company Member.
- 19.10 No Director may be appointed except as set out in the Articles.

Casual Vacancies

- 19.11 In the event that a casual vacancy for a Director arises because an individual ceases to be a Director under Article 21 then:
- 19.11.1 if the Director concerned was appointed under Articles 19.2.1, 19.2.2, 19.2.3 or 19.2.4, then the Board shall invite the body that made the original appointment to appoint a replacement according to Article 19.5;
- 19.11.2 if the Director concerned was appointed under Article 19.7 (Directors who are Residents) then the Board may appoint a Resident as a replacement following such process as they may reasonably determine, such replacement to hold office only until the expiry of the term of office of the Resident that they are replacing.

Step in Rights

- 19.12 If the Council elects to use its Step in Rights then:
- 19.12.1 the Council may, by written notice to the Company, remove any Director;

19.12.2 the Council may appoint such further Directors, for such period, as the Council acting reasonably may consider shall further the achievement of the Objects and the Company's obligations under the Implementation Agreement.

20 OBLIGATIONS OF DIRECTORS

20.1 The Board shall set out in writing the principal obligations of every Director to the Board and to the Company. The statement of Directors' obligations is not intended to be exhaustive and the Board may review and amend it from time to time.

20.2 The statement of obligations may include:-

20.2.1 a commitment to its values and objectives including equal opportunities;

20.2.2 an obligation to contribute to and share responsibility for the Board's decisions;

20.2.3 an obligation to read Board papers and to attend meetings, training sessions and other relevant events;

20.2.4 an obligation to declare relevant interests;

20.2.5 an obligation (subject to any overriding legally binding requirement to the contrary) to keep confidential the affairs of the Board;

20.2.6 an obligation to comply with statutory and fiduciary duties, including:-

20.2.6.1 to act in the best interests of the Company;

20.2.6.2 to declare any interests a Director may have in matters to be discussed at Board meetings and not put himself in a position where his personal interest or a duty owed to another conflicts with the duties owed to the Company;

20.2.6.3 to secure the proper and effective use of the Company's property;

20.2.6.4 to act personally;

20.2.6.5 to act within the scope of any authority given;

20.2.6.6 to use the proper degree of skill and care when making decisions particularly when investing funds; and

20.2.6.7 to act in accordance with the Articles; and

20.2.7 a reference to obligations under the general law.

20.3 If required to do so by the Board, a Director must sign and deliver to the Board a statement confirming he/she will meet his obligations to the Board and to the Company.

21 RETIREMENT AND REMOVAL OF DIRECTORS

- 21.1 A Director will cease to hold office if he:-
- 21.1.1 comes to the end of his term of office and is not re-appointed;
 - 21.1.2 is removed by the body which appointed him in accordance with Article 19.5;
 - 21.1.3 dies;
 - 21.1.4 being a Resident appointed as a Director in accordance with Article 19.7, ceases to be a Resident and/or a Company Member;
 - 21.1.5 ceases to be a Director under the Act or is prohibited by law from being a Director or is disqualified from acting as a charity trustee under the Charities Act 2011;
 - 21.1.6 becomes incapable of managing and administering his own affairs because of mental disorder illness or injury;
 - 21.1.7 is declared bankrupt or makes any arrangement or composition with his creditors;
 - 21.1.8 is in the opinion of the Board guilty of conduct detrimental to the interests of the Company and the Board resolves by a 75% majority of the Directors present and voting at a properly convened Board Meeting that he should be removed, provided that the Director concerned has first been given an opportunity to put his case and to justify why he should not be removed as a Director;
 - 21.1.9 if he is or becomes in arrears of payments due to the Company by 45 days or more in respect of estate rentcharge, service charge and/or any other charges or sums owed to the Company provided that he shall first have had reasonable opportunity to explain to the Board why he should not be removed;
 - 21.1.10 resigns by written notice to the Company at the Registered Office;
 - 21.1.11 is absent without good reason from three consecutive Board Meetings held no more frequently than once per month and the Board resolves (by a 75% majority of the Directors present and voting at a properly convened Board Meeting) that he should cease to be a Director;
 - 21.1.12 fails to sign a statement of his obligations under Article 20 within one month of being requested to do so and the Board resolves that he be removed; and/or
 - 21.1.13 is removed from office by the Council pursuant to the exercise of the Council's Step in Rights.

22 CONFLICTS OF INTEREST AND BOARD MEMBER CONDUCT

22.1 Declaration of interests

- 22.1.1 If a Director is in any way, directly or indirectly, interested in a proposed transaction or arrangement with the Company, he must declare the nature and extent of that interest to the other Directors.
- 22.1.2 In accordance with the Act, the declaration may be made at a Board Meeting or by written notice.
- 22.1.3 If a declaration of interest proves to be or becomes inaccurate or incomplete a further declaration must be made.
- 22.1.4 Any required declaration of interest must be made before the Company enters into the transaction or arrangement.
- 22.1.5 A declaration is not required in relation to an interest of which the Director is not aware or where the Director is not aware of the transaction or arrangement in question. For this purpose a Director is treated as being aware of matters of which he ought reasonably to be aware.
- 22.1.6 A Director need not declare an interest:-
 - 22.1.6.1 if it cannot reasonably be regarded as likely to give rise to a conflict of interests; or
 - 22.1.6.2 if, and to the extent that, the other Directors are already aware of it (and for this purpose the other Directors are treated as being aware of anything of which they ought reasonably to be aware);
 - 22.1.6.3 where he or she is appointed by the Developer, the Council, Surrey County Council or the Ecology Authority in any transaction or arrangement with the appointing body in which the Director does not have an interest otherwise than as a director or as an employee of the relevant body provided the transaction or arrangement does not confer a personal benefit on the Director, and in such circumstances the Director concerned will be deemed not to have an interest for the purposes of the Act and these Articles.

22.2 Authorisation of direct conflicts of interests

A Director may enter into a transaction or arrangement with the Company only if and to the extent that such an arrangement is authorised by Article 5.

22.3 Authorisation of indirect conflicts of interest

- 22.3.1 Where, for whatever reason, a Director has any form of indirect interest in relation to a transaction or arrangement with the Company (which shall include a conflict of duty) and the transaction or arrangement is not authorised by virtue of any other provision in the Articles then it may be authorised by those Directors not having a conflict provided that:-
 - 22.3.1.1 the Director with the conflict (and any other interested Director)

is not counted when considering whether or not there is a valid quorum for that part of the meeting and does not vote in relation to the matter giving rise to the conflict; and

22.3.1.2 the Directors who do not have a conflict in relation to the matter in question consider it is in the best interests of the Company to authorise the transaction.

22.3.2 The Directors who do not have a conflict in relation to the matter in question may, in their absolute discretion, determine that the Director with the conflict and/or any other interested Director should absent himself from the part of the meeting at which there is discussion concerning the transaction or arrangement giving rise to the conflict.

22.4 Complaints about conduct

22.4.1 If the Chairman receives a written complaint identifying the complainant and alleging conduct by a Director that in his/her reasonable opinion is detrimental to the interests of the Company, and suggests that there is a prima facie case for the complaint to be investigated in accordance with the provisions of this Article, s/he may suspend the Director concerned.

22.4.2 Conduct detrimental to the interests of the Company includes:

22.4.2.1 any breach of a Director's obligations as set out in the statement of obligations of Directors signed by him/her under Article 20 or otherwise; and/or

22.4.2.2 conviction of any offence which has or is likely to bring the Company into disrepute.

22.4.3 Where the Chairman is absent or unable or unwilling to act in relation to the complaint or the complaint is about the Chairman then the Vice Chairman may exercise the power to suspend the Chairman or a Director under Article 22.4.1 in the same circumstances as the Chairman.

22.4.4 The Director whose conduct is complained of must immediately be notified in writing either by the Secretary (if any) or by the Chairman or the Vice Chairman of the complaint and of any suspension which if exercised under Article 22.4.1 or Article 22.4.3 will be effective from the date of the notice. During the period of any suspension the Director must not:

22.4.4.1 participate in a Board Meeting or any other Company meeting;

22.4.4.2 authorise or incur expenditure on behalf of the Company;

22.4.4.3 make use of any property belonging to or in use by the Company in his/her capacity as a Director;

22.4.4.4 hold him/herself out as a Director of the Company; or

22.4.4.5 seek to commit the Company to any obligation.

22.4.5 On receipt of a complaint under Article 22.4.1 the Chairman or the Vice

Registered Number:

*Wisley Airfield Community Trust
Articles of Association*

Chairman must immediately refer the matter for a fair process of investigation, which may be carried out by a panel established for the purpose, an independent person or persons, or such other body as the Chairman or Vice Chairman acting reasonably shall appoint, including under such procedure for dealing with complaints as the Board may from time to time approve.

PART E. BOARD MEETINGS

23 FUNCTIONS OF THE BOARD

The Board must direct the Company's affairs in such a way as to promote the Objects. Its functions include:-

- 23.1 defining and ensuring compliance with the values and objectives of the Company;
- 23.2 establishing policies and plans to achieve those objectives;
- 23.3 approving each year's budget and accounts before publication;
- 23.4 establishing and overseeing a framework of delegation of its powers to Committees and Working Parties (under Article 28) and employees with proper systems of control;
- 23.5 monitoring the Company's performance in relation to its plans budget controls and decisions;
- 23.6 appointing (and if necessary removing) Senior Officers;
- 23.7 satisfying itself that the Company's affairs are conducted in accordance with generally accepted standards of performance and propriety; and
- 23.8 ensuring that appropriate advice is taken on the items listed in Articles 23.1 to 23.7 and in particular on matters of legal compliance and financial viability.

24 POWERS OF THE BOARD

- 24.1 Subject to the Act and the Articles, the business of the Company is to be managed by the Board who may exercise all of the powers of the Company.
- 24.2 An alteration to the Articles does not invalidate earlier acts of the Board which would have been valid without the alteration.

25 BOARD MEETINGS

- 25.1 Subject to the Articles, the Board may regulate Board Meetings as it wishes.
- 25.2 Board Meetings may be called by any Director or the Secretary (if appointed).
- 25.3 7 days' notice of Board Meetings must be given to each of the Directors but it is not necessary to give notice of a Board Meeting to a Director who is out of the United Kingdom.
- 25.4 A Board Meeting which is called on shorter notice than required under Article 25.3 is deemed to have been duly called if at least two Directors certify in writing that because of special circumstances it ought to be called as a matter of urgency.

- 25.5 Subject to Articles 25.6 and 25.7, matters arising at a Board Meeting are to be decided by a simple majority of votes and each Director is to have one vote.
- 25.6 Prior to the Practical Completion Date, however many Directors appointed by the Developer under Article 19.2.2 are present at a Board Meeting, they shall have 50% of the votes at that meeting divided equally between them.
- 25.7 If there is an equality of votes the Chairman is entitled to a second or casting vote.
- 25.8 A technical defect in the appointment of a Director or in the delegation of powers to a Committee of which the Board is unaware at the time does not invalidate decisions taken in good faith.

26 QUORUM FOR BOARD MEETINGS

- 26.1 Subject to Article 26.3 the quorum for Board Meetings is a minimum of two of the Directors for the time being provided always that prior to the Practical Completion Date a Board Meeting shall not be quorate unless a Director appointed by the Developer is present.
- 26.2 A Director may be part of the quorum at a Board Meeting if s/he can hear comment and vote on the proceedings through telephone, video conferencing or other communications equipment.
- 26.3 The Board may act despite vacancies in its number but if the number of Directors is less than four then the Board may act only to admit Directors under Article 19.
- 26.4 At a Board Meeting which remains inquorate for 15 minutes after its starting time or one which becomes inquorate for more than 15 minutes the Directors present may act only to:-
 - 26.4.1 adjourn it to such other time and place as they decide; or
 - 26.4.2 call a General Meeting; or
 - 26.4.3 seek the appointment of Directors under Article 19.
- 26.5 If at the adjourned meeting there are again insufficient Directors present within 15 minutes from the time of the adjourned Board Meeting to constitute a quorum then those Directors who are present (provided that they number at least two) shall constitute a quorum for the purpose of allowing any business of the adjourned meeting to be conducted.

27 CHAIRMAN AND VICE-CHAIRMAN

- 27.1 The Company must have a Chairman and may have a Vice-Chairman. Until the Practical Completion Date, a Director appointed by the Developer shall act as Chairman. Following that period, the Chairman is to be appointed by the Board. The Vice-Chairman is to be appointed by the Board.
- 27.2 The Chairman and Vice-Chairman, if any, are to hold office until the start of the first Board Meeting after a term as near as possible to one year from their appointment

but are eligible for reappointment under Article 27.1.

- 27.3 The Vice-Chairman and, following the Practical Completion Date, the Chairman, may be removed only at a meeting of the Board called for the specific purpose at which a resolution with a majority in favour is passed. The Chairman or the Vice-Chairman (as the case may be) must be given an opportunity to say why he should not be removed.
- 27.4 The Chairman is to chair all Board Meetings and General Meetings at which he is present unless he does not wish or is not able to do so.
- 27.5 If the Chairman is not present within 5 minutes after the starting time of a Board Meeting, or is unwilling or unable to chair a Board Meeting, then the Vice-Chairman, if any, must chair the Board Meeting unless he is unwilling or unable to do so.
- 27.6 If both the Chairman and the Vice-Chairman, if any, are not present within 5 minutes after the starting time of a Board Meeting or both are unwilling or unable to chair the meeting then the Board must elect one of the Directors who is present to chair the Board Meeting.
- 27.7 The functions of the Chairman are:-
- 27.7.1 to act as an ambassador for the Company and to represent the views of the Board to the general public and other organisations;
 - 27.7.2 to ensure that Board Meetings and General Meetings are conducted efficiently;
 - 27.7.3 to give all Directors an opportunity to express their views;
 - 27.7.4 to establish a constructive working relationship with and to provide support for the employees;
 - 27.7.5 where necessary (and in conjunction with the other Directors) to ensure that, where the post of any employee is or is due to become vacant, a replacement is found in a timely and orderly fashion;
 - 27.7.6 to encourage the Board to delegate sufficient authority to its Committees to enable the business of the Company to be carried on effectively between Board Meetings;
 - 27.7.7 to ensure that the Board monitors the use of delegated powers; and
 - 27.7.8 to encourage the Board to take professional advice when it is needed and particularly before considering the dismissal of an employee.
- 27.8 The role of the Vice-Chairman, if any, is to deputise for the Chairman during any period of his absence and, for that period, his functions shall be the same as those of the Chairman.

28 COMMITTEES AND WORKING PARTIES

- 28.1 The Board may establish Committees consisting of those persons whom the Board

decide and:

- 28.1.1 delegate to a Committee any of its powers; and
- 28.1.2 revoke a delegation at any time.
- 28.2 The Board may establish Working Parties, community groups and fora consisting of those persons whom the Board decide. A Working Party may not take decisions on behalf of the Board but may consider issues in depth with a view to making recommendations to the Board.
- 28.3 The members of a Committee or a Working Party are to be appointed by the Board but the Board may give a Committee or a Working Party the right to co-opt individuals to its membership. The Board is to determine the Chairman of each Committee or Working Party.
- 28.4 Each member of a Committee or Working Party (including the Chairman) is to hold office from the date of his appointment until the term of office for which he has been appointed expires or until he resigns or is removed by the Board from the Committee or Working Party.
- 28.5 The Board must determine the quorum for each Committee and Working Party it establishes.
- 28.6 The Board must specify the financial limits within which any Committee may function. A Working Party can have no authority to incur expenditure.
- 28.7 Every Committee or Working Party must report its proceedings and decisions to the Board as the Board determines.

29 OBSERVERS

- 29.1 Subject to Articles 29.4 and 29.5, the Board may allow individuals who are not Directors to attend Board Meetings as Observers on whatever terms the Board decides.
- 29.2 Observers may not vote but may take part in discussions with the prior consent of the Chairman.
- 29.3 The Board may exclude Observers from any part of a Board Meeting where the Board considers the business is private.
- 29.4 The Board must exclude an Observer from any Board Meeting at which a possible personal benefit to him is being considered.
- 29.5 The Board may allow a further independent advisor to attend meetings at its discretion.

30 DIRECTORS' WRITTEN RESOLUTIONS

- 30.1 A written resolution approved by all of the Directors entitled to receive notice of a Board Meeting (provided they would constitute a quorum at a Board Meeting) is as

valid as if it had been passed at a Board Meeting.

- 30.2 A written resolution approved by a simple majority of the members of a Committee (provided they would constitute a quorum of that Committee) is as valid as if it had been passed at a meeting of that Committee.
- 30.3 A resolution under Articles 30.1 or 30.2 may consist of several documents in similar form each approved by one or more of the Directors or Committee Members.

PART F. OFFICERS

31 THE SECRETARY

- 31.1 The Board may decide whether or not a Secretary is appointed.
- 31.2 Where appointed, a Secretary may be removed by the Board at any time.
- 31.3 If a Director is appointed as Secretary he may not receive any remuneration for acting in that capacity.

32 INDEMNITIES FOR OFFICERS AND EMPLOYEES

- 32.1 The Company may indemnify any officer or employee (other than a Director) against any liability incurred by him in his capacity as such except when that liability is due to his own dishonesty or gross negligence.
- 32.2 Subject to the Act (in particular sections 232-238 or any section of any other statute amending or replacing sections 232-238) and Article 32.3, the Company may indemnify any Director against any liability incurred by him in his capacity as such.
- 32.3 The indemnity provided to a Director in accordance with Article 32.2 may not include any indemnity against liability:-
 - 32.3.1 to the Company or a company associated with it;
 - 32.3.2 for fines or penalties; or
 - 32.3.3 incurred as a result of his unsuccessful defence of criminal or civil proceedings.
- 32.4 The indemnity provided to a Director in accordance with Article 32.2 may include the provision of funds to cover his legal costs as they fall due on terms that the Director in question will repay the funds if he is unsuccessful in his defence of the criminal or civil proceedings to which these costs relate
- 32.5 In respect to its auditor the Company may:-
 - 32.5.1 purchase and maintain insurance for his benefit against any liability incurred by him in his capacity as such; and
 - 32.5.2 indemnify him against any liability incurred in defending any proceedings (whether civil or criminal) in which judgment is given in his favour or he is acquitted or in connection with any application under Section 1157 of the Act or any section of any other statute amending or replacing Section 1157 in which relief is granted to him by the Court.

PART G. STATUTORY AND MISCELLANEOUS

33 MINUTES

- 33.1 The Board must arrange for minutes to be kept of all General Meetings and Board Meetings. The names of the Directors present must be included in the minutes.
- 33.2 Copies of the draft minutes of Board Meetings must be distributed to the Directors as soon as reasonably possible after the meeting and in any case seven days before the next Board Meeting (unless the next Board Meeting is an urgent Board Meeting).
- 33.3 Minutes must be approved as a correct record at the next General Meeting (as regards minutes of General Meetings) or Board Meeting (as regards minutes of Board Meetings). Once approved they must be signed by the person chairing the meeting at which they are approved.
- 33.4 The Board must keep minutes of all of the appointments made by the Board.

34 ACCOUNTS ANNUAL REPORT AND ANNUAL RETURN

- 34.1 The Company must comply with the Act and the Directors must comply with their obligations as charity trustees under the Charities Act 2011 in:-
 - 34.1.1 preparing and filing an annual Directors' report and annual accounts and sending them to the Charity Commission; and
 - 34.1.2 making an annual return to the Registrar of Companies and the Charity Commission.
- 34.2 The Company must comply with the Act in relation to the audit or examination of accounts (to the extent that the law requires).
- 34.3 The annual Directors' report and accounts must contain:-
 - 34.3.1 revenue accounts and balance sheet for the last accounting period;
 - 34.3.2 the auditor's report on those accounts (if applicable); and
 - 34.3.3 the Board's report on the affairs of the Company.
- 34.4 The accounting records of the Company must always be open to inspection by a Director.

35 BANK AND BUILDING SOCIETY ACCOUNTS

- 35.1 All bank and building society accounts must be controlled by the Board and must include the name of the Company.
- 35.2 A cheque or order for the payment of money must be signed in accordance with the

Board's instructions.

36 EXECUTION OF DOCUMENTS

- 36.1 Unless the Board decides otherwise, documents which are executed as deeds must be signed by:
- 36.1.1 two Directors; or
 - 36.1.2 one Director and the Secretary (where appointed); or
 - 36.1.3 one Director in the presence of a witness who attests the Director's signature.

37 NOTICES

- 37.1 Notices under the Articles must be in writing (which shall include facsimile transmission or email) except notices calling Board Meetings.
- 37.2 A Company Member present in person at a General Meeting is deemed to have received notice of the General Meeting and (where necessary) of the purposes for which it was called.
- 37.3 The Company may give a notice to a Company Member, Director or auditor either:
- 37.3.1 personally;
 - 37.3.2 by sending it by post in a prepaid envelope;
 - 37.3.3 by facsimile transmission;
 - 37.3.4 by leaving it at his address; or
 - 37.3.5 by email.
- 37.4 Notices under Article 37.3.2 to 37.3.5 may be sent:-
- 37.4.1 to an address in the United Kingdom which that person has given the Company;
 - 37.4.2 to the last known home or business address of the person to be served; or
 - 37.4.3 to that person's address in the Company's register of members.
- 37.5 Proof that an envelope containing a notice was properly addressed prepaid and posted is conclusive evidence that the notice was given 48 hours after it was posted.
- 37.6 Proof that a facsimile transmission was made is conclusive evidence that the notice was given at the time stated on the transmission report.
- 37.7 A copy of the notification from the system used by the Company to send emails, that the email has been sent to the particular person, will be conclusive evidence

that the notice was sent and such notice will be deemed to have been delivered 24 hours after it was sent.

37.8 A notice may be served on the Company by delivering it or sending it to the Registered Office.

37.9 The Board may make standing orders to define other acceptable methods of delivering notices.

38 STANDING ORDERS

38.1 Subject to Article 38.4;

38.1.1 the Board may from time to time make, alter, add to or repeal standing orders for the proper conduct and management of the Company; and

38.1.2 the Company in General Meeting may alter, add to or repeal the standing orders.

38.2 The Board must adopt such means as they think sufficient to bring the standing orders to the notice of Company Members.

38.3 Standing orders are binding on all Company Members and Directors.

38.4 No standing order may be inconsistent with or may affect or repeal anything in the Articles.

39 WINDING UP

39.1 The Company Members may at any time before, and in expectation of, its dissolution resolve that any net assets of the Company after all its debts and liabilities have been paid, or provision has been made for them, shall on or before the dissolution of the Company be applied or transferred directly for the Objects.

39.2 Subject to any such resolution of the Company Members, the Directors may at any time before and in expectation of its dissolution resolve that any net assets of the Company after all its debts and liabilities have been paid, or provision made for them, shall on dissolution of the Company be applied or transferred directly for the Objects, and the Directors shall use their reasonable endeavours to ensure that the work for which the Company was created continues.

39.3 In no circumstances shall the net assets of the Company be paid to or distributed among the Company Members (except to a Company Member that is itself a charity) and if no resolution is passed by the Company Members or the Directors the net assets of the Company shall be applied for charitable purposes as directed by the court or the Charity Commission.

DRAFT

DATED

2017

WISLEY AIRFIELD COMMUNITY TRUST (1)

GUILDFORD BOROUGH COUNCIL (2)

SURREY COUNTY COUNCIL (3)

WISLEY PROPERTY INVESTMENTS LIMITED (4)

IMPLEMENTATION AGREEMENT

© Anthony Collins Solicitors LLP

134 Edmund Street

Birmingham

B3 2ES

DSA.44482.0001

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WISLEY AIRFIELD COMMUNITY TRUST

IMPLEMENTATION AGREEMENT

CONTENTS

[to review once agreed]

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THIS AGREEMENT is made the

day of

20

BETWEEN

- (1) **WISLEY AIRFIELD COMMUNITY TRUST** (“the Company”) incorporated and registered in England with company number [xxxxxxx] whose registered office is [YYYYYYYYYYYYYYYYYYYY];
- (2) **GUILDFORD BOROUGH COUNCIL** (“the Council”), whose principal office is at Millmead House, Millmead, Guildford GU2 4BB;
- (3) **SURREY COUNTY COUNCIL** (“the County Council”) whose principal office is at County Hall, Penrhyn Road, Kingston upon Thames, Surrey, KT1 2DW;
- (4) **WISLEY PROPERTY INVESTMENTS LIMITED** (“the Developer”) a company registered under number MC-272889 of PO Box 309 Ugland House, Grand Cayman, KY1-1104, Cayman Islands

RECITALS

1. The Developer has been promoting the development of Wisley Airfield. The proposal is to establish a new community of up to 2,068 dwellings with associated community, leisure and retail and employment uses (“the Development”).
2. The Parties have worked together on the development of the Company as a community management organisation to own and manage the area of Suitable Alternative Natural Greenspace, provide support for the long term bus service linking the Development site with local railway stations and service centres, and provide for community development

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activities to nurture and ensure a thriving community.

3. The Company has been created as a charitable company limited by guarantee with each of the parties to this Agreement having the right to appoint Directors on to the Company's Board. The Company has been established to hold, maintain and manage a range of community assets, support and co-ordinate the delivery of a range of community services to meet the needs of local residents, and to promote and support environmental and community sustainability.
4. As the major strategic partners in the development of the site, the Council, the County Council and the Developer may wish from time to time to be actively involved in the key decisions of the Company and to protect the development, maintenance and management of the site.
5. This Agreement sets out the range of decisions of the Company with which the Council, the County Council the Developer are to be involved, and provides mechanisms for that involvement without prejudice to the powers of the Council and County Council to enforce the terms of the section 106 agreement and, in the case of the Council, its powers under part VII of the 1990 Act.
6. This Agreement also makes provision so that the Council, can through exercise of step in rights contained in this Agreement and Clause 19.12 of the Articles, appoint such directors as it sees fit to manage the Company on a temporary or permanent basis.
1. Definitions and Interpretations

IN this Agreement (which expression shall be deemed to include the Schedules)

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1.1 unless there be something in the subject or context inconsistent therewith the following expressions have the following meanings:-

- “Application”** means the planning application made by the Developer in respect of the Development and given reference number 15/P/00012
- “Area of Benefit”** means the area so defined in the Articles
- “Articles”** means the articles of association of the Company as amended from time to time (and any reference to an Article shall be a reference to that article of the said articles of association)
- “Associate”** means, in relation to any person, a person who is connected with that person (and whether a person is so connected shall be determined in accordance with Section 286 of the Taxation of Chargeable Gains Act 1992)
- “Board Meeting”** has the meaning given to it in the Articles
- “Built Assets”** means any building, infrastructure asset or structure the maintenance or management of which has or is to be transferred to the Company by the Developer or the owner thereof
- “Business”** means the ownership, maintenance and management of community infrastructure land and buildings, the supporting and co-ordination of the delivery of a range of community services to meet the needs of local residents within the Area of Benefit, and the promotion and supporting environmental and community sustainability by the

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Company in accordance with the Company's charitable aims and objectives

- “Business Plan”** means the framework for the business of the Company agreed by the Directors on an annual basis
- “Bus Services”** has the meaning given to it in the S106 Obligations
- “Chartered Accountant”** Has the meaning given to it in the S106 Obligations
- “Commencement Date”** means the date shown on the front of this Agreement
- “Community Asset”** means any land, infrastructure asset or building within the Area of Benefit ownership of which is transferred or leased to the Company
- “Community Facility”** has the meaning given to it in the S106 Obligations
- “Companies Act”** means the Companies Act 2006, save where the relevant provisions of the Companies Act 1985 or the Companies Act 1989 still apply, where it shall mean the relevant provisions in question
- “Deadlock Situation”** where the board of the Company is unable to reach a decision on any particular matter and a Party or Parties notifies the Company that the Party or Parties in question is of the view that a decision is required in order to allow the Development to proceed in a timely and effective manner or for any other material reason
- “Development”** means the phased development of a new settlement of up to 2,068 dwellings incorporating up to 60 sheltered accommodation units and 8 Gypsy and Traveller pitches and associated infrastructure including accesses onto the A3 (Ockham Interchange), Ockham Lane and Old Lane and revised access to Elm Corner, a secondary school, a

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primary school, community provision, nursery provision, health facility, a local centre (incorporating food & drink, retail, a visitor centre and offices), employment area, sports and recreational facilities (incorporating a floodlit sports pitch and pavilion). Sustainable Drainage Systems and an area of Suitable Alternative Natural Greenspace (SANG) incorporating a landform feature and car parking; the erection of associated utilities infrastructure; the development proposal to incorporate the demolition/removal of the runway and VOR Beacon (and any associated outbuildings); outline application, matter for determination access (matters reserved scale, appearance, landscaping and layout, as set out in the Application

“Director” means a director for the time being of the Company or, as the case may be, of any other company in the Group

“Director’s Undertaking” means a deed in the form set out in Schedule 1 or a deed in such other form as the Directors of the Company may agree

“Disposal” in clause 4.2.10 includes every description of disposition, payment, release or distribution, and the creation or extinction of an estate or interest in, or a right over, any property

“Dispute Procedure” a mechanism for resolving disputes between the Parties or any of them before using more formal routes as set out in Schedule 2

“Ecology Director” means the Director appointed under Article 19.2.4

“Estate Rentcharge” means any rentcharge secured on individual properties as

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	part of the Development to be paid to the Company
“Final Completion”	means the date 12 months following the sale and occupation of the final dwelling in the Development
“Group”	means, in relation to a company, that company or any company which is a holding company of that company or a subsidiary of that company or of such holding company
“Insured Risks”	means risks of loss or damage by fire, aircraft, articles dropped from aircraft, explosion, earthquake, riot, civil commotion, storm, lightning, flood, escape of water, impact, malicious damage (but excluding acts of terrorism and any other risk that the Company reasonably considers cannot be insured against in the UK market at a reasonable rate) and such other risks against which the Company insures
“Maintenance Standards”	incorporates both the Maintenance Standards (Open Spaces) and the Maintenance Standards (Built Assets)
“Maintenance Standards (Open Spaces)”	means the standards for management and maintenance for each element of the Open Spaces in the Area of Benefit that will be transferred to the Company pursuant to the terms of the Section 106 Obligations or the Company may otherwise assume responsibility for which shall as a minimum comply with the maintenance requirements as may be imposed by the conditions of the outcome of the Application and the Section 106 Obligations(if any)
“Maintenance Standards (Built Assets)”	means the standards for management and maintenance for each building within the Area of Benefit that will be transferred to the Company pursuant to the terms of the Section 106 Obligations or as may be imposed by the

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conditions of the outcome of the Application or the Company may otherwise assume responsibility for which shall as a minimum maintain the relevant premises in accordance with such requirements as may be imposed by the conditions of the outcome of the Application and the Section 106 Obligations(if any).

“Material Change”

any change that will materially affect the operations, performance, assets or prospects of the Company or that could impact upon its ability to deliver the Maintenance Standards

“Member”

means a member of the Company and/or of any other company in the Group

“Membership”

includes all rights and duties attributable to a person being a Member

“Natural England”

means the non-departmental body with responsibility for nature and landscapes sponsored by the Department for Environment, Food and Rural Affairs and whose head office is at 4th Floor, Foss House, Kings Pool, 1-2 Peasholme Green, York, or such other body as succeeds to its functions

“Open Spaces”

means all open space including SANG, sports and recreation areas woodlands grasslands allotments parks including amenity areas play spaces play areas unadopted verges ecological and wildlife areas and other green infrastructure in the Development (other than those forming part of any private curtilage or communal gardens relating to or for the exclusive use of the residents of any group of

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dwelling) the maintenance or management of which has or is to be transferred to the Company by the Developer or the owner thereof

“Party” means a party to this Agreement, and ‘Parties’ shall mean all of them

“S106 Obligations” means the obligations contained within Agreements and Unilateral Obligations dated [.....] pursuant to section 106 of the Town and Country Planning Act 1990 between 1) [] and 2) [] as it may be varied from time to time

“SANG” has the meaning given to it in the S106 Obligations

“SANG Land” has the meaning given to it in the S106 Obligations

“SANG Management Plan” has the meaning given to it in the S106 Obligations

“WACT Endowment Scheme” has the meaning given to it in the S106 Obligations

1.2 Reference to any statute or statutory provision includes a reference:

1.2.1. to any Regulations made under this Agreement; and

1.2.2. to that statute or statutory provision as from time to time amended extended or re-enacted.

1.3 Words and phrases the definitions of which are contained or referred to in the Companies Act shall be construed as having the meaning thereby attributed to them but excluding any statutory modification of it not in force on the date of this Agreement.

1.4 Words importing the singular number shall include the plural and vice versa, words importing the masculine shall include the feminine and neuter and vice versa and

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words importing persons shall include bodies corporate, unincorporated associations and partnerships.

1.5 References to clauses, schedules and recitals are references to clauses, schedules and recitals of this Agreement and references to sub-clauses, paragraphs and sub-paragraphs are (unless otherwise stated) references to sub-clauses of the clause, or paragraphs of the sub-clause (or, as the case may be, schedule) or sub-paragraph in which the reference appears.

1.6 All warranties, representations, indemnities, covenants, agreements and obligations given or entered into by more than one person are given or entered into severally unless otherwise specified.

1.7 The headings to the clauses and paragraphs are inserted for ease of reference only and shall not affect the interpretation or construction of this Agreement.

2. **Consideration**

In consideration of the mutual agreements and undertakings set out in the Agreement, the Parties have granted the rights and accepted the obligations herein.

3. **General Obligations**

3.1. None of the Parties to this Agreement shall nominate, appoint or approve any person to act as a Director unless such person shall first have duly executed and delivered to the Company a Director's Undertaking.

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3.2. Each of the Parties shall use their reasonable endeavours to ensure that:

3.2.1. where they are invited to appoint a Director to the Company and they wish to do so, they fill the position without unreasonable delay;

3.2.2. in the case of the Developer, there is at all times prior to Final Completion at least one Director appointed to the Company by the Developer;

3.2.3. such Directors as may be appointed by the relevant Party shall attend each meeting of the Directors and if for 3 consecutive meetings of the Directors properly convened in accordance with the Articles, a Director shall not so attend, then the relevant appointing Party if they wish to do so shall appoint some other person to act as their appointed Director.

3.3. Prior to the transfer to the Company of any element of either the Built Assets or the Open Spaces, then subject always to the S106 Obligations the Parties shall use their reasonable endeavours to agree the Maintenance Standards for that element, subject to the minimum requirements in Appendix 2 contained in the S106 Obligations.

4. **Matters Requiring Approval of all the Parties**

4.1 To the extent that it can lawfully do so, the Company undertakes to the other Parties that the Company (acting by its Board) will not take a decision on any of the matters listed in this Clause 4 unless the criteria set out in this Clause are met.

4.2 Subject to Clause 4.7, the Company may make a decision on any of the matters listed in Clause 4.3 below where the Directors appointed by each of the other Parties are:

4.2.1. present at the meeting at which the decision is made;

4.2.2. vote in favour of that decision; and

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4.2.3. the resolution of the Board is otherwise taken in accordance with the Articles.

4.3 The matters referred to in Clause 4.2 are:-

4.3.1. entering into varying or terminating any contract or arrangement insofar as that contract relates to the expansion of the work of the Business beyond the Area of Benefit. For the avoidance of doubt, this Clause does not extend to contracts of employment between the Company and its employees;

4.3.2. the entering into or altering or replacing of any bank mandate given by the Company to its bankers relating to the operation of any account of the Company;

4.3.3. the acquisition or creation by the Company of any subsidiary undertaking or the participation by the Company with any person in any partnership or other unincorporated association joint venture or consortium or agreement or arrangements for sharing commissions or other income;

4.3.4. approving any proposed amendments or revisions to the Maintenance Standards;

4.3.5. approving any Material Change to the Business Plan;

4.3.6. approving any proposal which relates to the disposal of any Community Asset.

4.3.7. Approving the written response to a consultation request from the Chartered Accountant regarding the Board's view about whether the WACT Endowment Scheme is sufficiently endowed to enable the WACT to carry out its functions as determined by the S106 Obligations and the Maintenance Standards.

4.4 The Company may only make a decision on the matters set out below where the prior written consent of each of the other Parties has been obtained. The matters are:

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- 4.4.1. approving any proposed amendment to the Articles (such amendment to then be put before the Members in accordance with company law);
 - 4.4.2. resolving to change the classification or status of the Company whether pursuant to the Companies Acts or otherwise;
 - 4.4.3. changing the nature or scope of the Business or commence any new business not being ancillary or incidental to the Business;
 - 4.4.4. undertaking any activity or doing anything which is likely to prejudice the status of the Company as a registered charity;
 - 4.4.5. approving any proposal which relates to the winding up of the Company, the insolvency of the Company, or the making of any composition, arrangement or assignment for the benefit of its creditors; or
 - 4.4.6. any transaction the effect of which is either that the Business is to be operated by another person outside of the Group or more than 50% of the membership of the Company or the Group is transferred or held (as the case may be) by persons who currently hold less than 50% of the membership of the Company.
- 4.5 Subject to clause 4.7, the Company may only approve or amend the Bus Services with the consent of the County Council.
- 4.6 Subject to clause 4.7, the Company may only approve or amend the SANG Management Plan with the consent of the Council.
- 4.7 If the Directors required to vote in favour, or the body required to give consent, in relation to any decision under Clauses 4.2, 4.5 or 4.6 fail to attend any relevant Board Meeting or to give the required consent then:

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- 4.7.1. if the matter concerns a Board Meeting decision and the relevant body gives written consent, then the matter may be agreed by the remaining Directors; but otherwise
- 4.7.2. the Board Meeting shall be adjourned; and
- 4.7.3. at the adjourned meeting, if the required Directors again fail to attend or the relevant consent has not been received, then those Directors present may approve any proposal under Clauses 4.2, 4.5 or 4.6 notwithstanding any such non-attendance.

5. **Obligations of the Company**

5.1 The Company shall:

- 5.1.1. use reasonable endeavours to prepare, agree and adopt a Business Plan incorporating the Maintenance Standards, the SANG Management Plan and the Bus Services as agreed from time to time in accordance with clause 3.3 in consultation with, and with the formal approval of, the Council and the Developer;
- 5.1.2. carry on and conduct its business and affairs in a proper and efficient manner, in accordance with any agreed Maintenance Standards and with any agreed Business Plan;
- 5.1.3. in particular and without prejudice to the foregoing, keep and maintain the Open Spaces and the Built Assets to the Maintenance Standards agreed under clause 3.3 across the Area of Benefit, and deliver the SANG Management Plan and the Bus Services in accordance with the S106 Obligations;

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- 5.1.4. maintain with a well-established and reputable insurer adequate insurance against all risks usually insured against by a commercial property company;
- 5.1.5. effect and maintain insurance with a reputable insurer subject to such excesses, exclusions and limitations as may apply covering all buildings owned by the Company against the Insured Risks for the full reinstatement cost including all applicable VAT and ancillary costs (including site clearance and professional fees) and appropriate allowance for inflation;
- 5.1.6. in particular, take out and maintain public liability insurance at all times in respect of any loss cost or damage of whatever kind to persons or property arising out of the Company's activities or the use and occupation of its land works properties and facilities;
- 5.1.7. keep books of account and therein make true and complete entries of all its dealings and transactions of and in relation to its business;
- 5.1.8. prepare its accounts on an historical cost basis and adopt such accounting policies as may from time to time be generally accepted for charities in England and Wales;
- 5.1.9. at least [28] days before the end of each financial year prepare an annual budget for the succeeding financial year;
- 5.1.10. prior to [28] days before the end of each financial year, review the Business Plan in particular in relation to any Maintenance Standards agreed under clause 3.3 during the relevant financial year in consultation with the Parties and submit a copy of any revised Business Plan to the Parties.

6. **Joint Obligations**

6.1 Each of the Parties to this Agreement shall:

- 6.1.1 use their reasonable endeavours to ensure continuing liaison in relation to

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the Development between the Developer, the local community in the Area of Benefit, the Council and the County Council;

6.1.2 subject to relevant resources being available assist the Company where relevant with the holding of workshops or similar activities for the community in the Area of Benefit;

6.1.3 cooperate and work together in good faith in the fulfilment of the Company's objects contained within its Articles.

7. Consents

Where this Agreement provides that any particular transaction or matter requires the consent, approval or agreement of a Party to this Agreement, such consent approval or agreement may not be unreasonably withheld and shall be given in a timely fashion.

8. The Articles

8.1 If, whilst this Agreement is in force, there shall be any conflict between the provisions of this Agreement and the provisions of the Articles or of the articles of association of any company in the Group, then during such period the provisions of this Agreement shall prevail.

8.2 Nothing contained in this Agreement shall be deemed to constitute an amendment of the Articles or of the articles of association of any company in the Group or of any previous articles of association of the Company or of any company in the Group.

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9. Winding Up and Insolvency

9.1 In the event of the winding up or insolvency of the Company, the Company will consult with the Charity Commission and the Parties (and obtain the formal consent of the Council and the Developer) regarding any proposals for the distribution of any remaining assets of the Company.

10. Confidentiality

10.1 Subject to clauses 10.2 and 10.3, each Party will keep the following matters confidential, namely:

10.1.1 any information concerning the activities or financial affairs of the other Parties which in the ordinary course of business would be considered confidential or sensitive;

10.1.2 any information concerning the Company or the activities in relation to this Agreement which, in the ordinary course of business would be considered confidential or sensitive; and

10.1.3 any information concerning another Party which that Party, by notice to the others, determines to be of a confidential nature.

10.2 Subject to clause 10.3, no Party is to disclose any such confidential information without the prior written consent of the other Party to which it relates.

10.3 No Party will be in breach of its obligations under clauses 10.1 or 10.2 if the information concerned:

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10.3.1 is already in the public domain other than as a consequence of a prior breach by the Party concerned; or

10.3.2 is required by law or by any court of competent jurisdiction or public body having appropriate legal powers to be divulged to or any authority, court, body or individual; or

10.3.3 is required to be disclosed to a regulatory agency or is disclosed to professional adviser on a confidential basis.

11. **Developer changes**

11.1 The Parties acknowledge that there may be changes to the Developer from time to time in respect of the Development.

11.2 Any proposal to accept an additional or alternative Developer shall notified to the Company by the Developer for the time being.

11.3 A Deed of Adherence shall be executed by any additional Developer agreed upon as a new Developer and Party to this Agreement.

11.4 Upon so entering into a Deed of Adherence that organisation or person (as the case may be) shall be deemed to be a party to this Agreement.

12. **General**

Notices

12.1 All notices which are required to be given under this Agreement shall be in writing and shall be sent to the address of the recipient set out in this Agreement or such other address as the recipient may designate by notice given in accordance with the provisions of this sub-clause. Any such notice may be delivered personally or by first class prepaid letter or facsimile transmission and shall be deemed to have been served

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if by personal delivery when delivered if by first class post 48 hours after posting and if by facsimile transmission when despatched.

Successors Bound

12.2 This Agreement shall be binding on and shall endure for the benefit of the successors and assigns and personal representatives (as the case may be) of each of the Parties.

Assignment

12.3 None of the Parties may assign their rights and obligations in whole or in part under this Agreement without the prior written consent of the other Parties (such consent not to be unreasonably withheld or delayed) **PROVIDED THAT** this sub-clause shall not prevent a transfer of Membership pursuant to the Articles.

Good Faith

12.4 Each of the Parties undertakes to do all things reasonably within its power which are necessary or desirable to give effect to the spirit and intent of this Agreement and the Articles.

Further Assurance

12.5 Each of the Parties shall, and shall use their respective reasonable endeavours to procure that any necessary third parties shall, do execute and perform all such further deeds, documents, assurances, acts and things as the other Parties may reasonably require to carry out the provisions of this Agreement and the Articles into full force and effect.

Counterparts

12.6 This Agreement may be executed in any number of counterparts and by the Parties to it on separate counterparts each of which when executed and delivered will be an

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original.

Variation

12.7 No variation of this Agreement shall be valid or effective unless made by one or more instruments in writing signed by the Parties.

Law

12.8 This Agreement shall be governed by and construed in accordance with English law and the Parties irrevocably submit to the exclusive jurisdiction of the English Courts in respect of any dispute or matter arising out of or connected with this Agreement.

No Partnership

12.9 Nothing in this Agreement shall constitute or be deemed to constitute a partnership between the Parties and none of them shall have any authority to bind the others in any way.

Duration

12.10 The terms of this Agreement shall remain in full force and effect from the Commencement Date.

Termination

12.11 The Parties may terminate this Agreement with immediate effect in relation to the participation of another Party ("the Leaving Party") if the Leaving Party:

12.11.1 being a Developer, serves written notice on the other Parties that the Party in question has ceased to have involvement in the Development;

12.11.2 has been guilty of a persistent or material breach of its obligations under this Agreement which is either not capable of remedy or which has not been

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remedied within 30 days after the other parties have issued the Leaving Party with written notice identifying such breach and requiring its remedy (referring specifically to this provision); or

- 12.11.3 goes into liquidation or winding up, is struck off by Companies House or the Financial Conduct Authority (as the case may be) or has an administrator, administrative receiver, receiver or manager appointed in respect of all or any of its assets and undertakings or is unable to pay its debts as these fall due (within the meaning of Section 123 of the insolvency Act 1986); or
- 12.11.4 is found to have conducted itself in such a way as to bring the Company or the other parties into disrepute.

12.12 Expulsion of the Leaving Party in accordance with clauses 12.11.2 to 12.11.4 will be effected by serving written notice on the Leaving Party signed by all the other Parties.

12.13 In the case of expulsion on the grounds set out in clauses 12.11.1 to 12.11.4 where there are bona fide grounds for a dispute concerning interpretation of the conduct, obligations or duties of the party in default, no notice may be served until the Dispute Procedure has been exhausted or otherwise waived by the parties concerned.

12.14 The termination of this Agreement however caused, shall be without prejudice to any obligations or rights of the Leaving Party which shall have accrued prior to such termination of this Agreement which is expressly or by implication provided to come into effect on, or to continue in effect after, such termination.

Council Step in Rights

12.15 In the event that any of the circumstances outlined in Clause 12.17 occur, the Council may issue a written notice to the Directors to specify its concerns and to identify the actions that the Council requires to be taken to address those concerns.

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12.16 Within six months of receipt of a notice pursuant to Clause 12.15, the Directors shall submit to the Council for approval a remedial action plan to identify the actions that will be taken by the Company to address the concerns identified by the Council in its notice and shall thereafter comply with the approved remedial action to the reasonable satisfaction of the Council.

12.17 The circumstances referred to in Clause 12.15 are:

12.17.1 in the reasonable opinion of the Council, the Company is insufficiently endowed to enable it to fulfil the obligations in this Agreement;

12.17.2 in the reasonable opinion of the Council, the Company is materially and persistently failing to fulfil its obligations under this Agreement; or

12.17.3 all of the Directors resign or are otherwise unable or unwilling to continue in their role as Director.

12.18 Where a notice has been issued under Clause 12.15 by the Council and the Company has either failed to meet its obligations under Clause 12.16 or has not carried out the actions in any such remedial plan then in addition to any other rights or obligations that may arise the Council may exercise its rights under the Articles to remove Directors of the Company and appoint additional Directors (“the Step in Rights”).

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Waiver

12.19 No failure to exercise, and no delay in exercising on the part of either Party, any right, power or privilege under this Agreement shall operate as a waiver of it nor shall any single or partial exercise of any right, power or privilege preclude any other or further exercise of it or the exercise of any other right power or privilege. The rights and remedies provided in this Agreement are cumulative and not exclusive of any rights or remedies otherwise provided by law.

Severability

12.20 Notwithstanding that any provision of this Agreement may prove to be illegal or unenforceable the remaining provisions of this Agreement shall continue in full force and effect.

Exercise of Powers

12.21 Where any person is required under this Agreement to exercise his powers in relation to the Company and/or any company in the Group to procure a particular matter or thing such obligation shall be deemed to include an obligation to exercise his powers both as a Member and as a Director (where applicable) of the Company and/or any company in the Group and to procure that any Member or Director nominated, appointed or approved by him (whether alone or jointly with any other person) shall procure such matter or thing.

Costs

12.22 Each of the Parties shall pay their own costs and expenses incurred in relation to the negotiation, preparation and execution of this Agreement.

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Third Party Rights

12.23 The terms of this Agreement are not enforceable under the Contracts (Rights of Third Parties) Act 1999 by any person not a Party.

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SCHEDULE 1

Director's Undertaking

To: Wisley Airfield Community Trust (the Company), Guildford Borough Council (the Council), Surrey County Council (the County Council), Natural England and Wisley Property Investments Limited (the Developer)

From: [name of director]

Dated:

I **HEREBY CONFIRM** that I have been supplied with a copy of an agreement ("the Agreement") made between (1) the Company, (2) the Council, (3) the County Council, (4) Natural England and (5) the Developer dated the ■ day of ■ 20 and **UNDERTAKE** to each of the persons to whom this Undertaking is addressed above that I will so far as may be permitted by law and so long as I remain a Director of the Company comply with the terms and conditions of the Agreement insofar as the same relate to me and act in all respects as contemplated by the Agreement and will (so far as aforesaid) do all within my power as a Director to ensure that the Company complies with its obligations under the Agreement.

EXECUTED as a deed the day and year first before written

SIGNED by the said) [name of Director]
)
as a Deed in the presence of:-) [witness]

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SCHEDULE 2

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IN WITNESS whereof the Parties have executed this document as the deed of such parties the day and year first before written

EXECUTED AS A DEED)
for and on behalf of)
Wisley Airfield Community Trust)
and signed by:-)

Director

Director/Secretary

EXECUTED AS A DEED by)
[TITLE] of Guildford)
Borough Council)
by the affixing of its Common Seal)
in the presence of:)

authorised signatory

EXECUTED AS A DEED by)
[TITLE] of Surrey County Council)
by the affixing of its Common Seal)
in the presence of:)

authorised signatory

EXECUTED AS A DEED by)
[TITLE] of Natural England)
by the affixing of its Common Seal)
in the presence of:)

authorised signatory

DRAFT

EXECUTED AS A DEED)
for and on behalf of Wisley Property)
Investments Limited)
and signed by:-)

Director

Director/Secretary

Appendix 7
Asset Transfer Terms

1. The transfer shall be of the freehold interest in the Asset Land or a leasehold interest in the Asset Land for a period of 999 years at an annual rent reserved at £25 with no rent review (as specified in the Land Ownership and Management Plan) and will include as appropriate the following particular terms and provisions:
 - 1.1 all rights reasonably necessary to enable the Asset to be constructed on the Asset Land and used for the purposes specified in paragraph 2;
 - 1.2 rights of way (until adoption) both pedestrian and vehicular at all times and for all purposes connected with the lawful use of the Asset in accordance with paragraph 2 over such parts of the Site as are laid out as roads, footpaths, cycleways and other designated access ways (from time to time) which are intended for use with the Asset;
 - 1.3 rights of services (until adoption) through service media, intended to serve the Asset subject to relocation ("lift and shift") provisions;
 - 1.4 rights of support for the benefit of the Asset Land and any buildings and structures to be constructed thereon;
 - 1.5 rights of entry onto adjoining property within the Site to maintain, repair, renew and replace service media, such rights to be exercisable only over any land which is not included or intended to be included in the curtilage of any Dwelling or gypsy and traveller accommodation;
 - 1.6 a covenant restricting the use of the Asset Land to the purposes specified in paragraph 2;
 - 1.7 the reservation of rights as appropriate in the circumstances for the benefit of the remainder of the Site taking effect over the Asset Land in like terms, mutatis mutandis, to those set out in paragraphs 1.2 and 1.4;
 - 1.8 in the case of a leasehold interest being transferred, the landlord's consent shall be required for any assignment or sub-letting of the Asset Land or any part thereof (such consent not to be unreasonably withheld or delayed);
 - 1.9 no sale, assignment or underlet shall be made for premium sums payable to the seller, landlord or assignor;
 - 1.10 in the case of a leasehold interest being transferred, the landlord's consent is required for any structural alterations;
 - 1.11 an obligation to keep the Asset in good and substantial repair and condition together with step-in rights for the landlord to enter on to the Asset Land to remedy any default by the tenant in the event that the Asset is not properly maintained;
 - 1.12 an obligation to pay the Service Charge which shall be levied annually and paid quarterly;
 - 1.13 an obligation to retain liability for the full cost of insurance attributable to the Asset Land and all other impositions charged to the Asset Land including rates, taxes, assessments, duties and outgoings whether parliamentary, parochial, local or of any other description and whether or not of a capital or non-recurring nature; and

- 1.14 in the case of a leasehold interest being granted, an agreement, declaration or statutory declaration excluding the lease from the protection conferred by Part II of the Landlord and Tenant Act 1954.
2. The transfer shall restrict the use of the Asset as follows:
 - 2.1 the SANG Land shall be used only as SANG;
 - 2.2 the Community Facility Site shall be used only as a community facility and ancillary office accommodation including for police, WACT (including SAMM Plus) purposes; and
 - 2.3 such other land as is required for the On-Site Infrastructure that is to be managed by the WACT as identified in the Land Ownership and Management Plan shall be used only for the purposes for which it is transferred.

Appendix 8
SANG Inspection Notice

To:
S106 Officer
Guildford Borough Council
Millmead House
Millmead
Guildford
Surrey GU2 4BB

Dear Sirs

Wisley Settlement: [SANG Phase Completion Notice] [SANG Phase Condition Notice]

This is to notify you that SANG Phase [X] is now ready for inspection by the Local Planning Authority under the terms of paragraph [1.2][1.4] of the Third Schedule to the S106 Agreement dated [] 2017.

Yours faithfully

Appendix 9
Community Facility Inspection Notice

To:
S106 Officer
Guildford Borough Council
Millmead House
Millmead
Guildford
Surrey GU2 4BB

Dear Sirs

Wisley Settlement: Community Facility Inspection Notice

This is to notify you that the Community Facility is now ready for inspection by the Local Planning Authority under the terms of paragraph 9.3.2 of the Third Schedule to the S106 Agreement dated [] 2017.

Yours faithfully

DATED 9th November 2017

THE COUNCIL OF THE BOROUGH OF
GUILDFORD

and

SURREY COUNTY COUNCIL

and

WISLEY PROPERTY INVESTMENTS LIMITED

SECTION 106 AGREEMENT IN RESPECT OF:

Wisley Airfield,
Hatch Lane, Ockham, GU23 6NU

Legal Services Manager
Millmead House
Millmead
Guildford
Surrey
GU2 4BB

File Ref
Planning Ref 15/P/00012

SURREY COUNTY COUNCIL

No. IN SEALING
REGISTER

20109-20140

ORDERED TO
BE SEALED

*Transport Development
Planning Manager*

1 November 2017

Sealing Authority	<i>Const</i>
Minute Reference:	<i>15/P/00012</i>
	<i>R. B. H. Millmead</i>
No. of Seal	<i>681 117</i>



1. Submission of reserved matters (layout, landscaping, appearance, scale)

Details of the appearance, accesses within the site, landscaping, layout and scale (hereafter called '**the reserved matters**') shall be submitted to and approved in writing by the Local Planning Authority before each relevant development phase begins and the development shall be carried out as approved.

Reason: In pursuance of Section 92 of the Town and Country Planning Act 1990.

2. Implementation

The development hereby permitted shall be implemented not later than **3 years** after the first reserved matters consent.

Reason: In pursuance of Section 92 of the Town and Country Planning Act 1990.

3. 3 year planning permission

The first reserved matters application shall be made within **3 years** of the date of this permission. The last reserved matters application shall be made within **15 years** of the date of this permission.

Reason: By virtue of Sections 91 to 95 of the Town and Country Planning Act 1990.

4. Approved plans (Parameters) Approved access drawings

The development shall be carried out in accordance with the following **plans and associated documents**:

Red Line Plan (1715/P/001/P1) - Site Survey (1715/P/010/P1) - Land Use Parameter Plan (1715/P/002/P2) - Movement Parameter Plan (1715/P/004/P2) - Building Height Parameter Plan (1715/P/005 P2) - Design Parameters (1715_SK_710 Rev B & 1715_SK_709) - Proposed Eastern Site Access Arrangements (0934-SK-025 J) - Proposed A3 / Ockham Interchange with modified site access (0934-SK-005-F) - Landscape Structure Parameter Plan 1715/P/003/P2).

Reason: To ensure that the proposed development is carried out in accordance with the development assessed in the environmental impact assessment and the approved plans and principles and parameters contained within the submitted documents upon which this decision is based.

5. Submission of a Construction Management Plan including master phasing, location of Construction Access Route (CAR)/ construction compound and timing of construction.

Before the development of the first sub-phase hereby permitted is commenced a **Construction and Environmental Management Plan (CEMP)** shall have been submitted to and approved in writing by the Local Planning Authority. To include details of: location of Construction Access Route (CAR), disposal and handling of contaminated waste, parking of vehicles of site personnel, operatives and visitors; loading and unloading of plant and materials; storage of plant and materials; programme of works (including measures for traffic management); provision of



boundary hoarding behind any visibility zones; before and after surveys of the surrounding residential roads and provide an undertaking to rectify any damage under section 59 of the Highways Act 1980; a scheme specifying arrangements for deliveries to and removals from the site, to include details of specification of types of vehicles and hours of operation; design of delivery areas; specification for lorry parking and turning spaces; the provision of facilities to ensure all reasonable efforts are made to keep the highway clean. Construction of the development shall not be carried out other than in accordance with the approved construction management plan. The plan shall be updated and submitted for approval by the Local Planning Authority for each sub-phase.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highways users, and in recognition of the NPPF. In accordance with the following policy numbers: G1(1) and G1 (2) of the Guildford Borough Local Plan 2003 (as saved by CLG Direction dated 24/9/07) and the NPPF.

6. Detailed sub phasing within master phase strategy / Non Prejudice to RIS

Prior to the submission of the first reserved matters application following consultation with Highways England, a **master and sub-phasing plan** shall be prepared and submitted to and approved in writing by the Local Planning Authority. The phasing plan shall include details of four Master Phases, sub-phases and SANG phases including the intended numbers of market and affordable dwellings for each sub-phase of development together with general locations and phasing of key infrastructure, including surface water drainage, green infrastructure, structural landscaping, community facilities and access for pedestrians, cyclists, buses and people in vehicles. The master and sub-phasing plan shall have regard to and shall not prejudice the Roads Investment Strategy Scheme for the Improvement of the M25 Junction 10. The development shall be carried out in accordance with the approved master and sub-phasing plan. Any variations to the master and sub-phasing plan shall be submitted to the Local Planning Authority for approval in writing. Any variations made before 1st January 2023 shall be prepared in consultation with Highways England.

Reason: To ensure the proper planning of the development and to ensure adequate safe guard of the Strategic Road Network.

7. Construction Detailing of the Tump

As part of the reserved matters application for any SANG sub-phase of the development which incorporates the **Tump** and associated landform features (shown as Strategic Earth Mounds on the Landscape Structure Parameter Plan 1715/P/003/P2), full details of the proposed construction detailing for those features shall be submitted to the Local Planning Authority for approval in writing. The development shall be carried out in accordance with the approved details.

Reason: To ensure the proper implementation of the Tump.

8. Site Waste Management Plan

Prior to the commencement of each sub-phase a **Site Waste Management Plan** shall be submitted to and approved by the Local Planning Authority. The sub phase shall be developed in accordance with the approved site waste management plan.

Reason: To ensure adequate waste management.



9. Suitable Alternative Natural Greenspace (SANG) sub-phasing strategy

Prior to the commencement of the development of SANG, a **SANG sub-phasing strategy** shall be submitted to and approved in writing by the Local Planning Authority. The sub-phasing strategy shall outline the proposed sequencing of the delivery of SANG, the delivery of the SANG car park and access road to it and approach to the structural landscaping. The SANG sub-phasing strategy shall apply to the land indicated as being within SANG phases 1 to 4 by Map 11 of the Information for HRA dated November 2015 which is Appendix 8.14 of the Environmental Statement. The development shall thereafter be carried out in accordance with the sub-phasing strategy unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the proper planning of the SANGs.

10. SANG Construction and Environmental Management Plan

Prior to the commencement of the first sub-phase of SANG, a **SANG Construction and Environmental Management Plan (SCEMP)** shall be submitted to and approved in writing by the Local Planning Authority. To include details of the proposed timing, access, routing, compound and any storage associated with the delivery of the proposed SANG. Construction of the development shall not be carried out other than in accordance with the approved SCEMP. The plan shall be updated and submitted for approval by the Local Planning Authority for each SANG sub-phase.

Reason: To ensure a coordinated construction process.

11. SANG Implementation Strategy and Landscape Ecological Management Plan

As part of the reserved matters application for the SANG a **SANG Implementation Strategy** shall be submitted to the Local Planning Authority for approval in writing. The SANG shall be implemented in accordance with the approved Strategy. Prior to the commencement of the relevant SANG sub-phase, a **SANG Landscape Ecological Management Plan (SLEMP)** shall be submitted to and approved by the Local Planning Authority. The SLEMP shall be in general accordance with the approved SANG Implementation Strategy and the SANG – Outline Habitat Creation and Management Plan P 14/67-3D dated November 2015 and the Letter of Explanation, Revisions to SANG Design dated February 2016.

Reason: To ensure adequate implementation of the SANG.

12. SANG Car Parking

Prior to the first occupation of any of the dwellings hereby permitted, **car parking** to serve visitors to the SANG shall be delivered in accordance with the SANG – Outline Habitat Creation and Management Plan P 14/67-3D dated November 2015, and provision for car parking shall thereafter be retained. Any subsequent amendments to the location of the SANG car parking shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: To make provision for car parking for people visiting the SANG.



13. Master Phase Design Framework

Prior to the submission of the first reserved matters application for each Master Phase containing housing or infrastructure, a **Master Phase Design Framework** for that phase shall be submitted to and approved in writing by the Local Planning Authority. The Master Phase Design Framework shall include:

- General principles for determining the design, form, heights and architectural features of buildings
- General principles of the hierarchy for roads and public spaces
- General principles for the design of the public realm including street furniture and lighting
- General principles for the laying out of the green infrastructure, including structural planting and open spaces.

Subsequent reserved matters applications shall have regard to the principles established by the approved Master Phase Design Framework.

Reason: In the interests of good design and to secure a consistent approach to design across the site.

14. Detailed Masterplan and design framework incorporating public realm, architecture, boundary treatment, landscape and public art

Prior to the submission of the first reserved matters application for each sub-phase of the development, a document setting out the **Sub-Phase Design Framework** for that sub-phase shall be submitted to and approved in writing by the Local Planning Authority. No sub-phase of the development shall be commenced unless the Design Framework for that sub-phase has been approved in writing by the Local Planning Authority. The Design Framework for each phase shall include the following matters relevant to that sub-phase:

- The principles for determining the design, form, heights and general arrangement of external architectural features of buildings including the roofs, chimneys, porches and fenestration;
- The principles of the hierarchy for roads and public spaces including for each sub-phase the proposed approach to cycle and car parking and roads to be adopted;
- The principles for determining the colour, texture and quality of external materials and facings for the walls and roofing of buildings and structures;
- The principles for the design of the public realm to include the colour, texture and quality of surfacing of footpaths, cycleways, streets, parking areas, courtyards and other shared surfaces;
- The principles for the design and location of any LEAPs/ LAPs/ NEAPs ensuring adequate provision site-wide;
- The principles for the design and layout of street furniture and level of external illumination;
- The principles for the laying out of the green infrastructure including the access, location and general arrangements of any multi use games area within the phase, sports pitches, the children's play areas and community gardens, foraging or allotments;
- The principles to ensure that there is appropriate access to buildings and public spaces for the disabled and physically impaired; and
- For the relevant phase principles for the laying out of structural planting within 20m of the site boundary with the Grade II listed building Yarne.



The development shall be carried out in accordance with the approved Sub-Phase Design Framework for each sub-phase of the development.

Reason: In the interests of good design.

15. Design Masterplan and framework (site-wide), incorporating a Design Framework– having regard to the Design & Access Statement and Neighbourhood 4 – Restriction on Design Parameters (with the Reserved Matters for each phase/ alternative Design Code by Reserved Matter)

The development hereby permitted shall accord with the **Restriction on Design Parameters** indicated by Plan Reference 1715_SK_710 Rev B.

Reason: To ensure the proper planning of the area, and to achieve good design.

16. **Restriction on building heights, scale and massing** in areas marked on Neighbourhood 4 Design Guide Parameters – Drawing No. 1745/SK/709 to protect the setting of the Grade II Listed Building Yarne and the character of Ockham Lane

Notwithstanding the details shown on Parameter Plan (1715_SK_710 Rev):

(a) the development hereby permitted shall accord with the Restriction on Design Parameters indicated by Plan Reference 1715_SK_710 Rev B and Plan Reference 1715_SK_709.

(b) The relevant reserved matters applications made pursuant to condition 1 shall ensure that no elevation of any building shall be within 20m of the site boundary with the Grade II Listed Building Yarne.

Reason: To ensure the proper planning of the area, to achieve good design and to preserve the setting of the Listed Building Yarne.

17. Village Centre Implementation Plan and Design Framework

Before the occupation of 400 dwellings, or as part of any reserved matters application seeking approval for retail A1-A5 or offices B1(a) commercial employment, a **Village Centre Implementation Plan** will be submitted to the Local Planning Authority for approval in writing. This shall include the composition of the Village Centre and associated car parking spaces, and proposed timing of the delivery, provision of serviced land and/or property to enable the provision of retail, leisure and employment uses, any relevant LAPs, LEAPs or NEAPs, and the provision of accommodation space for Community Police Support Officers. This shall also make provision for an ambulance parking space, teleworking facility and electric car charging points. The relevant sub-phase incorporating the Village Centre shall not be commenced unless the Village Centre Implementation Plan has been approved in writing by the Local Planning Authority. No more than 1,000 dwellings shall be occupied until all of the measures described in the Village Centre Implementation Plan have been delivered.

Reason: To ensure the appropriate implementation of the Village Centre.

18. Lighting strategy, by sub phase

Prior to the commencement of each sub-phase of the development, a strategy containing details of the proposed **lighting** for all primary and secondary route highways, cycleways and



footpaths for that sub-phase shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved strategy prior to the relevant highways, cycleways and footpaths being brought into use and shall thereafter be retained.

Reason: To ensure adequate lighting of public highways.

19. Public realm / public art (site wide)

Prior to the submission of any reserved matters application for residential or commercial development a Public Art and Public Realm Strategy detailing the approach to public art and public realm across the site shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall include details of the commissioning budget for the measures described in it and measures for applying the Strategy to the sub-phases of the development. The public realm and art measures implemented by sub-phase shall be in general accordance with approved Public Art and Public Realm Strategy.

Reason: In the interests of good urban design.

20. Public realm / public art implementation plan (by phase/ Reserved Matters parcel)

The first reserved matters application for each sub-phase of the development which includes any residential or commercial floorspace shall include a strategy containing details of the proposed public art and public realm measures for that sub-phase. The Strategy shall be submitted to the Local Planning Authority for approval in writing. The strategy shall be in accordance with the approved site-wide Public Art and Public Realm Strategy. Each sub-phase of the development shall be carried out in accordance with the approved strategy for that sub-phase.

Reason: In the interests of good urban design.

21. Provision of serviced land and/or property for B1 uses

Prior to the submission of reserved matters for each sub-phase of the development which includes any **employment or commercial floorspace** (Use Classes B1, B2 and B8) a Commercial Proposition document shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of the location and provision of serviced land, including a timetable for delivery, and/or property to enable the delivery of B1, B2 and B8 uses in areas outside of the Village Centre in the employment area shown on the approved parameter plans. No more than 1,500 dwellings shall be occupied before the employment and commercial floorspace hereby approved has been completed.

Reason: To ensure the delivery of the proposed employment or commercial floorspace.

22. Detailed tree survey, Arboricultural Method Statement

Prior to the commencement of each sub-phase of the development, an **Arboricultural Method Statement**, tree survey and tree protection plan (based on plan and AIA statement ref:13228-BT2 A) for that sub-phase shall be submitted to and approved in writing by the Local Planning Authority. Each sub-phase of the development shall be implemented in accordance with the approved Arboricultural Method Statement, tree survey and tree protection plan.

Reason: To ensure adequate protection of existing trees.



23. Landscape detailing and management by phase

As part of the reserved matters application for each sub-phase of the non-SANG development a **Landscape Management Plan (LMP)** for non-SANG areas within that sub-phase shall be submitted to the Local Planning Authority for approval in writing. The LMP shall include details of the maintenance provisions for the structural landscaping. The sub-phase shall be developed in accordance with the approved LMP.

Reason: In the interests of the landscape.

24. Replace planting within 5 years, post implementation of phase

Any **tree or vegetation planting** (with the exception of structural planting identified by the Master Phase Design Framework) which has died, become damaged or diseased within 5 years of the implementation of the approved landscaping details, by sub-phase, shall be removed and replaced with a tree or plant of the same size and species as that which is to be removed.

Reason: In the interests of landscape amenity.

25. Sports Pavilion / Multi Use Games Area (MUGA)

As part of the reserved matters application for any sub-phase of the development which includes the provision of serviced land for a **Sports Pavilion or Multi Use Games Area (MUGA)** details of these facilities shall be submitted to the Local Planning Authority for approval in writing. The relevant sub-phases which should include a MUGA are those which include:

- The primary or All Through school including sports pitches; or
- The sports pavilion / sports pitches

Reason: To ensure adequate children's play and sports facilities to meet the needs of the development.

26. Detailed energy and sustainability strategy (site-wide)

As part of the reserved matters application for the first sub-phase containing housing or commercial or community buildings a site wide **Energy and Sustainability Strategy** shall be submitted to the Local Planning Authority for approval in writing. The Strategy shall outline the intended sustainable design and construction practice, notably the efficient use of materials, energy and water, and details of waste minimisation and renewable energy generation. All subsequent sub-phases shall be delivered in accordance with the approved site-wide Energy and Sustainability Strategy unless otherwise agreed with the Local Planning Authority.

Reason: In the interests of energy efficiency.

27. Countryside & Rights of Way Section 16 Designation

The residential elements of the development shall not be occupied unless the land edged red on the EPR plan entitled "Potential area of **Section 16 CRoW** designation" dated January 2017 has been designated pursuant to section 16 of the Countryside and Rights of Way Act 2000 as confirmed in writing to the Local Planning Authority, or such alternative measures as have been approved in writing by the Local Planning Authority have been implemented.



Reason: To help deliver appropriate management of the Ockham and Wisley elements of the Thames Basin Heaths Special Protection Area.

28. PROW strategy, including any relevant stopping up and diversions

As part of the reserved matters application for each sub-phase containing an existing public right of way, a **Public Rights of Way Strategy** detailing any proposed alterations of any public right of way and/or proposed improvements to any existing public right of way within that sub-phase shall be submitted to the Local Planning Authority for approval in writing. The public rights of way for each sub-phase shall be treated in accordance with the approved Public Rights of Way Strategy for that sub-phase.

Reason: To ensure the ongoing maintenance of public rights of way.

29. Site Access / Roads/ Pathways

The **site accesses, roads and pathways** for each sub-phase of the development shall be constructed in accordance with the approved plans at reserved matters, based on the Movement Parameter Plan (1715/P/004/P2), including interim arrangements for bus services and the construction of a Pegasus crossing on the Ridgeway Avenue (main spine road) with Bridleway 544 (Hyde Lane).

Reason: To ensure the implementation of the necessary highways.

30. Travel Plan Framework and Travel Plan

Prior to the commencement of the first sub-phase of the development, a **Travel Plan Framework** shall be submitted to and approved in writing by the Local Planning Authority. The reserved matters application for each subsequent sub-phase of the development shall include a Travel Plan for that sub-phase, in accordance with the aims and objectives of the National Planning Policy Framework. The approved Travel Plan for each sub-phase of the development shall be implemented prior to first occupation of any dwelling in that sub-phase and shall thereafter be complied with.

Reason: To encourage the use of sustainable modes of transport.

31. Onsite Public Transport Infrastructure

Prior to the occupation of each sub-phase of the development, a scheme for the provision of the relevant **on-site sustainable public transport infrastructure** for that sub-phase shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved scheme.

Reason: To maximise the use of sustainable transport.

32. Implement required site access, parking

Prior to the occupation of each dwelling hereby permitted, the **vehicular accesses, driveways, parking and turning areas** serving that dwelling shall be constructed in accordance with the approved plans.

Reason: In the interests of amenity.



33. Site Specific Highways Adoption and Works Programme

As part of a wider adoption and works programme prior to the 400th occupation the developer shall enter into a highways agreement with Surrey County Council to provide for works to upgrade the existing highway in accordance with the On-site Highways Works Plan (Plan Reference: DLA.1772.L002.02). Details of the highways agreement shall be agreed in writing with the Local Planning Authority.

Reason: To ensure the delivery of the required highways.

34. Old Lane Access

Prior to any residential properties being accessed by private car from Old Lane the works to restrict southbound traffic on Old Lane as described in 0934/SK/017 Rev Q shall be completed.

Reason: To ensure the delivery of the required highways.

35. Traffic Management Measure to A3 to reduce / control speed

No more than 200 dwellings in the development hereby permitted shall be occupied until a **Traffic Management Measure** relating to speed restrictions and/or construction works to the A3 between Ockham Interchange and M25 Junction 10 (or suitable alternative to be agreed in writing) has been submitted to and approved in writing by the Local Planning Authority. The Traffic Management Measure shall be prepared in consultation with Highways England.

Reason: To ensure the safe operation of the Strategic Road Network and mitigate the impact of the development.

36. M25 Junction 10 improvement works or RIS

No more than 500 dwellings in the development hereby permitted shall be occupied until either the works in accordance with plan reference. 0934/SK/017 Rev Q have been completed or M25 **Junction 10 improvements** materially in accordance with either Option 9 or Option 14 of the Roads Investment Strategy Scheme for the Improvement of the M25 Junction 10 (5th December 2016) or an alternative option containing materially equivalent mitigation effects have been implemented by Highways England.

Reason: To ensure the safe operation of the Strategic Road Network and mitigate the impact of the development.

37. Master drainage strategy (site wide)

Prior to the submission of the first reserved matters application, a **Master Surface Water Drainage Strategy** (in accordance with the NPPF Flood Risk Assessment including Drainage Strategy dated November 2014 (WSP) submitted as part of the Environmental Statement) covering the whole site shall be submitted to the Local Planning Authority for approval in writing. All subsequent sub-phases shall be delivered and maintained in accordance with the approved Master Surface Water Drainage Strategy.

Reason: In the interests of the environment and good planning.



38. Ground Water Protection Strategy

Prior to the commencement of the first sub-phase of the development, a **Ground Water Protection Strategy** shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken and maintained in accordance with the approved strategy.

Reason: In the interests of the environment and good planning.

39. By phase drainage and SuDs strategy

As part of the reserved matters application for each sub-phase of the development, a proposed **Surface Water Drainage and SuDs Strategy** for that sub-phase shall be submitted to the Local Planning Authority for approval in writing. The Strategy shall outline details of ongoing maintenance and shall accord with the Master Surface Water Drainage Strategy. The sub-phase shall be delivered in accordance with the approved Surface Water Drainage & SuDs Strategy for that sub-phase.

Reason: In the interests of mitigating flood risk and ensuring adequate drainage

40. Waste Water Drainage

Prior to the commencement of the development (excluding SANG implementation), full details of a drainage scheme for the provision of **Waste Water Drainage**, including any off-site drainage and treatment infrastructure and funding methods, shall be submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be prepared in consultation with Thames Water and shall include details of phasing of the occupation of the development and outline the implementation measures required for each sub-phase of the development.

Reason: In the interests of good planning.

41. Drainage Verification Plan

Prior to the commencement of the sub-phase of the development that includes the construction of the new bridge over **Stratford Brook**, a **Drainage Verification Plan** including details of the 8m buffer zone to the Stratford Brook shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved Plan.

Reason: In the interests of the environment.

42. Contamination land report (site-wide)

Unless otherwise agreed in writing by the Local Planning Authority, no development within each sub-phase shall commence (other than that required to be carried out as part of an approved scheme of remediation) until steps (I) to (III) below have been complied with where required.

(I) Site Characterisation

An Investigation and Risk Assessment, to support the assessment provided with the planning application (Geo-Environmental Risk Assessment (2013) & Phase 2 Geo-Environmental Desk Study (2006)) must be completed in accordance with a scheme to be agreed in writing with the



Local Planning Authority 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 must be undertaken by competent persons and a written report of the findings must be submitted to and approved in writing by the Local Planning Authority and must include:

- a) a survey of the extent, scale and nature of contamination
- b) an assessment of the potential risks to human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, and archeological sites and
- c) an appraisal of remedial options, and proposal of the preferred option(s)

The site characterisation must include a detailed quantitative risk assessment and must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

(II) Submission of Remediation Scheme

A detailed Remediation Scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall be submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must 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.

(III) Implementation of Approved Remediation Scheme

The approved Remediation Scheme works must be carried out in accordance with the approved details prior to the commencement of development, other than development required to carry out the remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority shall be given two weeks written notification of commencement of the Remediation Scheme works. Following completion of measures identified in the approved remediation scheme, a Verification Report that demonstrates the effectiveness of the remediation carried out must be produced, and shall be submitted to and agreed in writing of the Local Planning Authority. This shall also include a Long Term Monitoring and Maintenance Plan for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the Verification Report, and for the reporting of this to the Local Planning Authority.

43. Unexpected contamination

If, during development, **contamination** not previously identified is found to be present at the site then no further development within that relevant sub-phase shall be carried out, unless otherwise agreed in writing by the Local Planning Authority, until the developer has submitted to and received written approval from the Local Planning Authority for an amendment to the Remediation Scheme detailing how any unsuspected contamination is to be dealt with.

Reason: To ensure the risk from contamination is managed.

44. Programme of works - Archaeology, including site investigation



As part of the first reserved matters application, an **Archaeological Report - Written Scheme of Investigation** (in accordance with the Heritage Desk Based Assessment, October 2013 (Cotswold Archaeology) submitted as part of the Environmental Statement) covering the whole site shall be submitted to the Local Planning Authority for approval in writing. No development shall take place within a sub-phase until a programme of archaeological work for that sub-phase has been implemented in accordance with a **Written Scheme of Investigation** which has been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of archaeological investigation.

45. Ecological Mitigation Strategy Report (site-wide)

Prior to the submission of the first reserved matters application an **Ecological Mitigation & Biodiversity Strategy Report** covering the whole site (in accordance with the Ecology Report and Appraisal July 2014 (RPS) and Ecological Phasing Mitigation Plan (EPR) November 2015 included within the Environmental Statement) shall be submitted to and approved by the Local Planning Authority. The first reserved matters application for each sub-phase submitted thereafter shall include the results of biodiversity surveys carried out for that sub-phase, and a plan for biodiversity mitigation and enhancement in accordance with the objectives of the approved **Ecological Mitigation & Biodiversity Strategy**. The plan for biodiversity mitigation and enhancement shall be submitted to the Local Planning Authority for approval in writing. The development shall thereafter be undertaken in accordance with the approved biodiversity mitigation and enhancement measures.

Reason: In the interests of biodiversity.

46. Noise report

As part of the reserved matters application for each sub-phase or SANG sub-phase located all or in-part within 300m of the edge of highway of the A3 and within 50m of the edge of the highway on Ockham Lane and Old Lane, a **Noise Survey and Mitigation Report** shall be submitted to the Local Planning Authority (in accordance with Chapter 12 of the Environmental Statement) for approval in writing. Any mitigation measures for each sub-phase approved by the Local Planning Authority pursuant to this condition shall be delivered prior to the occupation of any dwellings within that sub-phase. Any mitigation measures which are outside a private dwelling shall be maintained thereafter.

Reason: In the interests of amenity with respect of noise.

47. Detailed utilities connection strategy, including gas, electricity sub-stations and high-speed broadband connections

As part of the reserved matters application for each sub-phase of the development, a **Detailed Utilities Strategy** for that sub-phase which shall have regard to the whole site shall be submitted to the Local Planning Authority to be approved in writing. The Detailed Utilities Strategy shall outline the required utilities infrastructure and guide the location of gas and electricity facilities for that sub-phase. Any communication and broadband connections for each sub-phase approved in writing by the Local Planning Authority pursuant to this condition shall be provided to serve the dwellings of the sub-phase prior to the occupation of any dwellings within that sub-phase.

Reason: To ensure adequate utilities.



48. The Beacon (DVOR/ DME)

Until such time as its relocation/ decommissioning, no development shall take place within a 500m radius of the NATS **DVOR/DME installation**, as shown on the DVOR/ DME Beacon Safeguarding Plan (1715/SK/064/A), unless there has been consultation with NATS and the written consent of the Local Planning Authority has been provided in writing.

Reason: In the interests of NATS.

49. The Beacon (DVOR/ DME)

Until such time as its relocation/ decommissioning, the development shall not exceed the height limits defined in by the DVOR/DME Beacon Safeguarding Plan (1715/SK/064/A) and the Local Planning Authority and NATS shall be notified before any development takes place that will be within 1m of the height limits imposed.

Reason: In the interests of NATS.

50. Employment & Skills Strategy

Prior to the commencement of the development, a site-wide **Employment & Skills Strategy** shall be submitted to and approved in writing by the Local Planning Authority. The Strategy shall outline how the construction process will maximise the opportunity to employ local persons (defined as people who reside in the Borough or adjacent Local Authority area). The Employment & Skills Strategy shall be updated at the time of the commencement of each sub-phase for submission to the Local Planning Authority for approval in writing, with the purpose of providing a Strategy for that relevant phase. The development shall be implemented in accordance with the approved Strategy.

Reason: In the interests of local employment.

51. Soils

As part of the Construction Management Plan (CEMP) an appropriately experienced **soil specialist** shall advise on, and supervise, soil handling, including identifying when soils are dry enough to be handled and how to make the best use of the different soils on site. A Report on soil management shall be submitted to and approved in writing by the Local Planning Authority prior to the completion of each sub-phase of the development (including SANG sub phases). Regard shall be had to the detailed Defra guidance with respect to the Construction Code of Practice for the Sustainable Use of Soils on Construction Sites (including accompanying Toolbox Talks). The development shall be implemented in accordance with the approved Report.

Reason: To reduce the impact arising from the loss of Best and Most Versatile Agricultural Land (BMV).

Wisley Airfield

Proposed Planning Conditions UPDATE

VERSION FOLLOWING DISCUSSION AT INQUIRY ON 18th October 2017

AGREED BETWEEN THE APPELLANT & GUILDFORD BOROUGH COUNCIL



52. Residential Care Home/ Nursery Home (Class C2) including Pet Restriction

The Residential Care Home/ Nursery Home (Class C2) hereby permitted shall be provided for purposes falling only within Class C2 of the Town and Country Planning (Use Classes) Order 1987 and shall not include any self-contained residential staff accommodation. The Class C2 units shall be provided for persons of limited mobility. No dogs shall be kept within any of the Class C2 units, save for Assisted Living Dogs.

Reason: To limit the use of the Class C2 accommodation to residential accommodation for people in need of care and to limit the impact on the Special Protection Area.

Agreed Position Statement Between Highways England and Wisley Property Investments Ltd

- 1) Highways England has agreed with Wisley Property Investments Ltd that sufficient progress has been made such that, subject to documentation of the terms agreed below, Highways England is expected to be able to withdraw its objection to the Wisley Airfield appeal scheme on the following terms:
 - a) Other than "Preparatory Operations" as defined below, which shall not generate vehicle trips entering or exiting the site in excess of those envisaged to be produced by the Implemented Consent for In Vessel Composting (being 60¹ daily two way trips), no part of the proposed development shall commence until Highways England has advised the local planning authority in writing that the main works to construct the M25 J10 RIS scheme have commenced.
 - b) No part of the proposed development shall be occupied until Highways England has advised the local planning authority in writing that the main works to construct the M25 J10 RIS scheme are complete and have been opened to public traffic.
 - c) In recognition that the M25 J10 RIS scheme may not provide sufficient capacity between Ockham and M25 Junction to satisfy paragraph 9 of Department for Transport Circular 02/2013, Wisley Property Investments Ltd will make a financial contribution in lieu of the provision by the developer of:
 - i) the measures shown on plan reference 0934/SK/017 Rev Q to the westbound carriageway of the A3 between M25 Junction 10 and Ockham roundabout;
 - ii) measures to provide a fourth lane to the existing eastbound carriageway of the A3 between Ockham roundabout and M25 Junction 10 in line with plan reference 0934-SK-050-D or another agreed scheme for the provision of works to provide a north bound lane gain, and based on an agreed proportional impact of the development in the context of the overall cost of the RIS scheme.
- 2) This financial contribution will be made prior to the occupation of more than 500 dwellings at the development in accordance with a Unilateral Undertaking to be provided by Wisley Property Investments Ltd pursuant to section 106 of the Town and Country Planning Act 1990, such contribution to be the reasonable amount estimated by Highways England as being equivalent to the cost of delivering or procuring the delivery of the works described in paragraph 1(c) above including a commuted sum for additional maintenance costs.
- 3) 1 (c) (i) above is consistent with draft condition 36 already agreed with Guildford Borough Council and Surrey County Council and submitted to the Wisley Airfield Appeal Inquiry, as set out below, and which does not therefore require further amendment:

"No more than 500 dwellings in the development hereby permitted shall be occupied until either the works in accordance with plan reference. 0934/SK/017 Rev Q have been completed or M25 Junction 10 improvements materially in accordance with either Option 9 or Option 14 of the Roads Investment Strategy Scheme for the Improvement of the M25 Junction 10 (5th December 2016) or an alternative option containing materially equivalent mitigation effects have been implemented by Highways England."

¹ Source – Proof of Evidence of Ian King (pba) September 2009

- 4) The proposed Unilateral Undertaking will provide for additional mitigation to be funded by the developer beyond that secured by condition 36 and the other highway measures secured by the planning conditions and obligations already agreed by the developer. The financial contribution payable by the developer will reimburse Highways England some of its costs in delivering the M25 J10 RIS scheme.
- 5) In respect of the proposed slip roads at Burnt Common, further Wisley Property Investments Ltd has provided all of the information required by Highways England, but Highways England has not yet completed its review of this work to establish the impact of the slip roads, particularly in the context of other options that may be brought forward and the obligations imposed on Highways England by its licence to operate as a strategic highways company. On the basis of the work carried out already however, Highways England have previously agreed that the slip roads may be secured by the Grampian planning obligation provided for within the s.106 agreement between Wisley Property Investments Ltd, Guildford Borough Council and Surrey County Council dated 9th November 2017.
- 6) "Preparatory Operation" in this statement has the same meaning as defined in the s. 106 agreement and means an operation or item of work of or connected with or ancillary to archaeological investigation, exploratory boreholes and trial pits, survey of existing structures, demolition, site clearance and excavation (including associated temporary works) or site preparation, site reclamation and site remediation works, preliminary landscaping, diversion, decommissioning or laying of services for the supply or carriage of water, sewerage, gas, electricity, telecommunications or other media or utilities, the erection of fences, hoardings and scaffolding and construction of temporary access and service roads, constructing the SANG (including but not limited to constructing the SANG car park and the SANG access road), constructing the new access road from the A3/Ockham Interchange, constructing the new bridge over the Stratford Brook stream, constructing the plant access via Old Lane, and other works and site establishment preparatory to the commencement of construction including temporary extinguishment and closure of public rights affecting the Site and operations permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015.



Paul Harwood
On Behalf of Highways England

11 June 2018



On behalf of Wisley Property Investments Ltd

Date.....11.....June.....

RIS WISLEY LANE ACCESS THROUGH WISLEY AIRFIELD

**NON PREJUDICE TO HIGHWAYS ENGLAND JUNCTION 10 ROAD INVESTMENT STRATEGY
(RIS) SCHEME ARISING FROM THE APPEAL PROPOSAL**

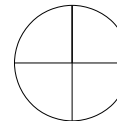
STATEMENT FROM THE APPELLANT
05.10.17

1. Mr Harwood for Highways England outlined in his Proof of Evidence (para. 20) that some of the options for the RIS M25 Junction 10 Improvements require land from the Appeal Site. We understand this to be one option of two options being considered. Highways England outlined that a Preferred Route announcement is anticipated to be made prior to the closing of the Appeal. The RIS will implement highways improvements to Junction 10 alongside the A3 between Ockham Interchange and Painshill Interchange (the main Junctions either side of Junction 10). These proposals include the closure of the existing direct access from Wisley Lane to and from the A3, with access instead taken from the Ockham roundabout. It is understood by the Appellant that one option might need to be accommodated on/via the Appeal Site through:-
 - access via Ockham Interchange into the Appeal Site;
 - access through a western section of Appeal Site; and
 - leading to an A3 overbridge, located in the vicinity of the present Wisley Lane / Elm Corner.
2. Highways England therefore seek to maintain the opportunity for this Wisley Lane rerouting option through the Appeal Proposal.
3. Emerging GBLP para. 4.16.13 / policy ID2 recognise and support the proposals for improvements to the Strategic Road Network (SRN). The Wisley Airfield allocation A35 and Proposals Map do not specifically seek to safeguard land within the Appeal Site (though infrastructure measure 3)(a) refers to Junction 10), and therefore throughout the evolution of the Appeal Proposal to the submission of Proofs, the Appellant had not needed to consider this prospect.
4. The Appellant considers that both the Appeal Proposal and any potential RIS measure can be delivered.
5. The Appeal Proposal is made in Outline. Enclosed is an alternative arrangement of the western end of the Illustrative Masterplan plan ref. 1715/SK/085, which provides for: -
 - The access road within the Appeal Site is as proposed in the existing indicative masterplan;
 - New road from the site access road, aligned to the rear of the all weather pitch space, through the Appeal Site to a potential A3 overbridge alignment as proposed by Highways England;
 - Employment provision (broadly in accordance with its intended location with size unchanged);

- Utilities provision (broadly in accordance with its previously indicated arrangement);
 - Incidental Open Space provision;
 - Sports Pitch / Pavilion Provision including parking location (broadly in accordance with its previously indicated arrangement, with reduction in area of grass pitches compensated by an increase in all weather provision in this location, and an opportunity to increase the all weather provision further if required);
 - SANG provision substantively unaffected, with minor reduction in area (-0.3ha or 0.6%) capable of compensation elsewhere if required; and
 - SANG integrity and residential amenity unaffected with road traffic screened as demonstrated by the cross sections in plan DLA.1772.L002.01.
6. All other aspects of the Illustrative Masterplan would be unchanged.
- a. The Appeal Proposals include approximately 9.51(ha) of formal playing field space (7ha of sports pitches and 2.51 ha non-pitch sports provision) and 6.8ha of children's playing space (with 1.3ha of equipped playing space and 5.5ha of informal playing space). This exceeds the requirement in emerging Policy R2.
 - b. The adapted illustration of the Indicative Masterplan allows for approximately 9.47 (ha) of formal playing field space (6.96ha of sports pitches and 2.51 ha non-pitch sports provision) and not less than 6.8ha of children's playing space (with 1.3ha of equipped playing space and 5.5ha of informal playing space). This still exceeds the requirement in emerging Policy R2.
7. The application is made in outline, supported by a number of scheme parameters. The present Illustrative Masterplan is almost entirely unaffected by a potential RIS measure.
8. Overall, there would be a minimal impact. The Appeal Proposal (description and parameters) would be non-prejudicial on the potential RIS measure (and vice versa).
9. In respect of process, a separate planning application/ DCO process would be required for this potential RIS measure.
10. The Appeal Proposal can be implemented through the imposition of a relevant planning condition. The Appellant suggests that this is done via the sub-phasing condition, as this controls many other conditions / sequences of the Reserved Matters, and precedes any development of employment or residential accommodation. This requirement should apply prior to 1st January 2023, as by this date the RIS is anticipated to be implemented (as it forms part of the RIS 1 programme, 2015-2020). The Appellant is discussing the condition with HE.

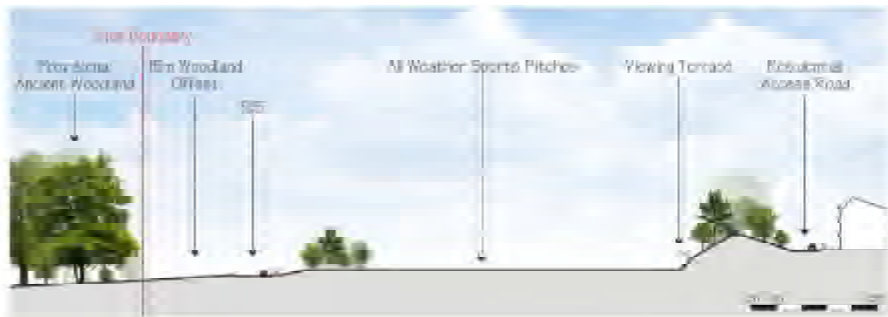


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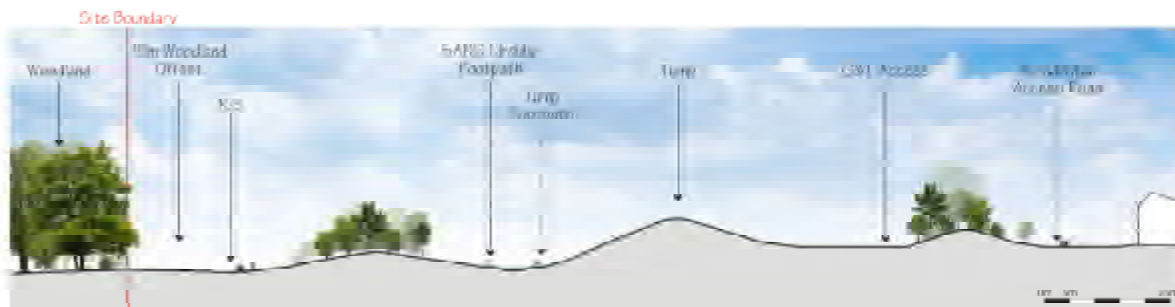
Amendment	Date
Amendment	
Job/Drawing No	1715/SK/085
Potential RHS access road	Scale 1:1250 (1:2500 @ A3)
Administrative plan	Date 26/06/2017
Do not scale	Drawn GSS
Original printed at A1	All dimensions to be checked on site



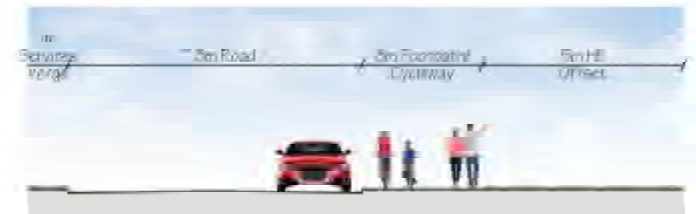
Section A



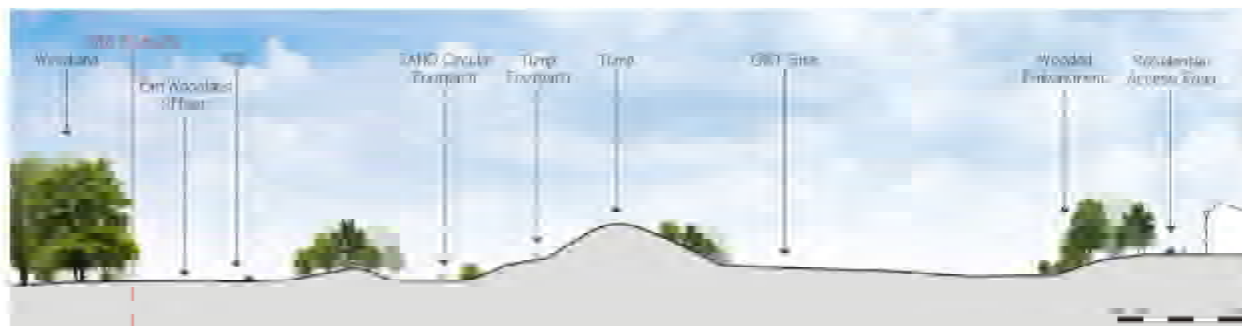
Section Location Plan - Not to scale



Section B



KPS Detail - 1:25 @ A3



Section C

<p>Prepared for Wisley Property Investments LLP</p> <p>Prepared by DAVIES LANDSCAPE ARCHITECTS</p> <p><small>DAVIES LANDSCAPE ARCHITECTS 10000 WISLEY LANE, WISLEY AIRFIELD, GUILDFORD, GU24 0LH</small></p>	<p>Wisley Airfield Guildford</p> <p>Project Title: Indicative 100 Wisley Lane Access Arrangement Sections</p> <p>Date: October 2017 Scale: 1:100 @ A3</p> <p>Drawing Number: DLA-1772-L002-01</p>
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Tree constraints plan

Location of trees, categorisation and development constraints at Wisley Airfield, Wisley



Tree schedule

Tree No	Species	Height (m)	Category	RPA Radius	Tree No	Species	Height (m)	Category	RPA Radius	Tree No	Species	Height (m)	Category	RPA Radius	Tree No	Species	Height (m)	Category	RPA Radius
T1	Oak	5	A	10.8	G52	Oak	10	B	6.0	T103	Oak	22	A	9.6	T154	Oak	25	A	10.2
T2	Oak	5	A	7.8	T53	Oak	8	B	6.0	G104	Goat willow, hazel, poplar, elm, oak	20	B	5.4	T155	Oak	25	A	10.8
T3	Oak	4	C	5.4	T54	Oak	6	C	3.0	G105	Oak, sycamore, goat willow	20	B	7.2	G156	Blackthorn, hawthorn, elm	5	C	3.6
G4	Hazel	6	C	5.7	T55	Oak	25	A	13.2	W106	Oak, ash, fruit	18	A	6.0	G157	Oak	11	B	6.0
T5	Ash	14	A	9.6	T56	Oak	18	A	6.6	G107	Goat willow, birch	10	C	5.4	T158	Oak	10	C	6.0
G6	Birch, pear	6	C	3.6	T57	Ash	22	B	10.2	G108	Ash	16	B	7.8	G159	Oak, sycamore	20	B	8.4
T7	Oak	14	A	9.6	G58	Ash	20	B	4.8	G109	Birch, ash, oak, pine	14	B	3.6	G160	Oak	22	A	9.6
G8	Goat willow	6	C	3.6	T59	Oak	18	A	7.8	T110	Ash	16	B	6.0	G161	Hawthorn, blackthorn, elm, holly	5	C	3.6
G9	Oak	15	A	7.2	T60	Holly	6	C	3.6	G111	Oak	16	B	8.4	T162	Oak	20	B	6.0
G10	Holly	7	C	4.8	T61	Oak	20	A	9.6	G112	Poplar, Scots pine	14	B	4.8	G163	Oak, hawthorn, hazel	8	B	3.6
T11	Wild cherry	6	B	4.8	T62	Oak	16	B	6.0	T113	Ash	15	B	6.0	G164	Holly, sycamore, lime	14	B	4.8
W12	Hawthorn, hazel, sycamore, oak, ash	14	B	6.0	G63	Oak	24	A	9.6	T114	Scots pine	15	C	7.2	T165	Ash	18	C	8.4
T13	Oak	10	C	7.8	G64	Oak	25	A	10.8	T115	Scots pine	15	B	4.8	G166	Ash	15	C	3.6
T14	Oak	15	A	8.4	G65	Oak	20	A	12.0	T116	Scots pine	14	B	5.4	T167	Ash	12	B	7.2
T15	Oak	12	U	11.4	G66	Oak	22	A	9.6	T117	Scots pine	13	B	3.6	T168	Ash	16	B	3.6
T16	Hawthorn	8	C	3.0	G67	Oak	14	B	5.4	T118	Oak	15	B	5.4	G169	Holly, elm	4	C	3.6
G17	Oak	16	A	8.4	T68	Oak	10	B	5.4	T119	Oak	15	B	5.4	H170	Beech	3	C	1.8
T18	Oak	15	A	8.4	G69	Oak	10	B	4.8	T120	Scots pine	15	B	6.0	T171	London plane	25	A	9.6
T19	Oak	14	C	6.0	W70	Oak	8	B	4.8	T121	Oak	15	B	6.0	T172	Oak	18	A	9.6
G20	Hazel, hawthorn	5	C	3.6	G71	Oak	10	B	4.2	T122	Scots pine	16	B	4.8	G173	Ash	16	B	9.6
W21	Goat willow, oak, ash, alder, hazel, hawthorn	20	A	8.4	G72	Oak	10	B	3.6	T123	Oak	13	C	3.6	H174	Privet	2	C	1.8
T22	Oak	20	A	15.0	T73	Oak	10	B	4.2	G124	Oak	16	B	6.0	G175	Lombardy poplar	25	B	8.4
T23	Oak	20	A	9.6	G74	Oak	10	B	4.8	G125	Blackthorn	4	C	3.6	T176	Oak	20	A	6.0
T24	Horse chestnut	24	A	10.8	G75	Birch	10	C	2.4	T126	Eucalyptus	18	B	6.0	T177	Ash	16	B	6.0
G25	Oak	15	A	7.2	G76	Goat willow, birch	6	C	3.6	G127	Ash, oak, plum, birch	4	C	2.4	T178	Scots pine	20	B	9.0
G26	Birch	7	C	3.6	G77	Oak	25	A	10.8	G128	Oak, ash, cherry	25	A	9.6	G179	Indian horse chestnut	10	B	3.6
G27	Oak	10	B	4.8	G78	Birch	12	C	3.0	G129	Blackthorn, oak	8	C	3.6	G180	Lime	20	B	7.2
T28	Oak	8	U	4.8	G79	Oak	20	A	9.0	T130	Ash	15	C	7.2	G181	Lime	15	C	3.6
W29	Alder, goat willow, ash	18	B	4.8	G80	Oak	24	A	8.4	T131	Ash	12	C	2.4	G182	Sycamore, ash	15	B	6.0
G30	Sycamore	14	C	3.6	T81	Oak	25	A	9.0	T132	Ash	20	A	13.2	G183	Elm, sycamore, hazel	5	C	3.6
G31	Goat willow, sycamore	4	C	3.6	T82	Oak	25	A	10.2	G133	Goat willow	5	C	3.6	T184	Ash	6	C	3.6
G32	Ash, sycamore	18	B	6.0	G83	Oak	25	A	11.4	G134	Oak, ash, rowan	16	B	7.2	G185	Elm, hazel, scrub	5	C	3.6
T33	Oak	18	U	8.4	G84	Oak	20	A	7.2	W135	Oak, ash, beech, hornbeam	25	A	9.6	T186	Oak	12	B	6.0
T34	Oak	22	A	8.4	T85	Oak	22	A	8.4	T136	Oak	25	A	14.4	T187	Sycamore	14	B	4.8
T35	Oak	22	A	9.6	G86	Oak	25	A	7.2	T137	Oak	25	A	15.0	T188	Oak	13	B	4.2
T36	Sycamore	14	C	4.8	T87	Oak	20	A	5.4	T138	Oak	25	A	14.4	T189	Oak	6	B	3.0
T37	Sweet chestnut	8	C	3.6	G88	Poplar, birch	18	C	3.6	G139	Hawthorn, blackthorn, goat willow	5	C	3.6	T190	Sycamore	6	C	5.1
T38	Oak	14	B	7.2	G89	Oak	25	A	8.4	T140	Oak	20	A	12.0	T191	Oak	14	A	7.8
T39	Oak	16	A	6.0	G90	Oak	24	A	9.6	T141	Oak	15	B	4.8	G192	Sycamore	15	C	4.2
T40	Turkey oak	25	A	9.6	G91	Ash	20	B	6.6	T142	Oak	22	A	12.0	G193	Sycamore	12	C	3.6
G41	Ash	16	B	3.6	T92	Oak	12	B	6.0	T143	Oak	22	A	7.2	H194	Oak, hawthorn, blackthorn, elder, hazel	3	C	2.4
T42	Cypress	10	C	3.0	T93	Ash	18	B	9.6	T144	Oak	22	A	8.4	G195	Field maple	4	C	2.4
G43	Oak	14	B	4.8	T94	Oak	18	B	5.4	T145	Oak	22	A	9.6	G196	Lombardy poplar	18	B	4.8
T44	Oak	12	A	4.2	T95	Oak	18	B	7.2	T146	Oak	25	A	10.2	T197	Grey poplar	15	B	5.4
T45	Oak	15	A	5.4	T96	Oak	20	A	11.4	G147	Ash, oak	12	C	4.2	G198	Hawthorn, birch	4	C	2.4
T46	Oak	10	B	3.6	G97	Birch, elm, sycamore, ash	6	C	2.4	G148	Elm, goat willow	5	C	2.4	T199	Poplar	6	C	3.0
G47	Oak, birch	12	B	4.2	T98	Oak	20	A	10.8	G149	Ash	15	B	9.6	T200	Blackthorn	5	C	7.2
G48	Oak	8	B	4.8	G99	Ash, oak	16	B	5.4	T150	Oak	18	B	10.2					
G49	Oak	6	B	5.4	T100	Birch	12	C	4.2	T151	Oak	15	B	6.0					
T50	Oak	6	B	5.4	T101	Ash	20	B	4.2	G152	Blackthorn, hazel, hawthorn	3	C	2.4					
T51	Oak	6	B	7.2	T102	Oak	20	A	10.8	G153	Oak	14	B	3.6					

BS category A Trees of high quality

BS category B Trees of moderate quality

BS category C Trees of low quality

BS category U Trees unsuitable for retention

Estimated tree positions not included on original land survey and adjusted crown spreads

Purpose of this plan and its annotation

This constraints plan provides sufficient information to interpret the tree constraints when designing a new layout. This guidance must be carefully reviewed with the individual tree information provided in the schedule on this plan. If there is any doubt about how to interpret this information, you must check it out with Barrell Tree Consultancy (BTC) on 01425 651470 or info@barrelltreecare.co.uk.

How to use the constraints information

Our interpretation of the starting-point recommendations of BS 5837(2013) is that only category A and B trees are sufficiently important to influence a layout, so the category C and U trees are discounted in this constraints advice. The constraints that the A and B trees are likely to impose have been assessed as follows:

- Zone 1 (dense coloured shading):** This is called the root protection area (RPA) where ground disturbance must be carefully controlled. If encroachment is planned within the RPA, then this must be assessed on a tree-by-tree basis by BTC. If important trees are to be successfully retained, no significant disturbance should occur within the RPA and a high level of care is needed when working within it.
- Zone 2 (Thick line showing extent):** The second constraint is where shading/dominance/future growth may be an issue and is our estimate of how much space may be needed to retain trees after the development activity when the pressures of residential occupation come to bear. Factors such as crown density, future growth potential, orientation in relation to the sun and the number of trees in groups are considered to arrive at this second, less restrictive, constraints zone. Zone 2 is not normally suitable for occupied buildings, but uninhabited structures and hard surfacing may be acceptable within it.

Limitations and warnings

- This plan is confidential to the client and should not be released to any third parties without authorisation
- It does not consider any ecological or other constraints that may exist on the site
- Assessing constraints is subjective, especially the zone 2 advice, and the LPA may not agree with the BTC interpretation
- The plan is based on provided information and should only be used for dealing with the tree issues
- All scaled measurements must be checked against the original documents
- This constraints guidance is preliminary and only suitable for drawing up initial design proposals
- Further consultation with BTC is essential before finalising any layout

Permission is granted to scale from this drawing for Local Authority Planning Approval purposes relating to tree protection measures only. Where applicable this drawing is to be read in conjunction with the arboricultural report. This drawing is the copyright of Barrell Tree Consultancy 2013. ©

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Barrell Plan Ref: 13228-BT1

Provided Plan Refs: CAD WISLEY OGL_07110_Topo_Rev01.dwg

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