

Appeal by Taylor Wimpey UK Limited

Land at former Wisley airfield, Hatch Lane, Ockham GU23 6NU

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Submission Date: 19th December 2023

CLOSING SUBMISSION

by Colin Smith

on behalf of

East Horsley Parish Council & West Horsley Parish Council

CONTENTS

	<u>Page</u>
1. Introduction	2
2. Local Plan: Site Policy A35	3
3. Local Plan: Other policies	9
4. Neighbourhood Plan	14
5. Planning balance	16
6. Conclusion	20

1. INTRODUCTION

- 1.1 I shall now give my Closing Submission on behalf of East and West Horsley parish councils.
- 1.2 As set out in my Proof, the case of the Horsleys that the appeal should be dismissed and planning permission refused rests upon two main factors:
- a) That the proposed development fails to comply with the development plan as a whole;
and
 - b) That the assessed planning balance shows a considerable excess of planning harm over planning benefit arising from the proposed development.
- 1.3 I will now re-assess these in the light of evidence presented during this inquiry, commencing with Site Policy A35. I shall then consider other significant Local Plan and Neighbourhood Plan policies, before I conclude with a reassessment of my overall planning balance.

2. LOCAL PLAN: Site Policy A35

- 2.1 During his Evidence-in-Chief on behalf of the Appellant, Mr Collins described Site Policy A35 as “*the most important policy*” for determining this appeal. I agree with him up to a point but there are also other Local Plan and Neighbourhood Plan policies which are very significant too, as I shall come on to later.
- 2.2 In my Proof I identified seven Requirements from Site Policy A35 with which the application failed to comply. I must now add another, Requirement 1, relating to the **primary site access**, and I will commence with this.
- 2.3 **Requirement 1** simply states that:
Primary vehicular access to the site allocation will be via the A3 Ockham interchange.
- 2.4 During the cross-examination of Mr. McKay, the Appellant’s transport witness, an error was identified in a table he included in his Transport Assessment which showed that total traffic volumes into and out of the site had been erroneously stated. The corrected data showed that total traffic volumes were actually greater through the Old Lane access than through the A3 Ockham interchange.
- 2.5 Access is a key issue with any development and I believe this first requirement of Policy A35 is also one of its most fundamental. The Local Plan recognised Wisley airfield to be an isolated site, devoid of any services or facilities, but that it was partially redeemed by its close proximity to the A3, which was intended to give easy access to the nearby trunk road network. It was presumed the A3 Ockham interchange would become the primary access point for the proposed development, thereby not overburdening the local road network around other parts of the site which is predominantly made up of narrow country lanes.
- 2.6 However, the Appellant’s corrected modelling data shows that more traffic is actually being forecast to enter or leave the site via the Old Lane junction, rather than via the A3 Ockham interchange. Therefore, Old Lane will be the primary vehicular access, ie. that used by the majority of vehicles entering or leaving the site. Old Lane itself is a narrow and winding country lane which connects with other similar rural roads across the area. Due to the adverse implications such traffic flows will have on this local network, I consider this concentration on the Old Lane access to represent a major failure of the application.

2.7 My next issue concerns the lack of new **slip roads at Burnt Common**

Requirement 4 states that:

The 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.

2.8 The 2017 appeal inspector and Secretary of State were in no doubt about the importance of these new slip roads. The Local Plan inspector also considered them essential. Evidence given to this inquiry by Send and Ripley parish councils has further stressed their vital role in preventing heavy traffic congestion in these parishes. Not only are these slip roads necessary to mitigate the transport impacts on Ripley High Street and the surrounding rural roads, but as the Local Plan inspector highlighted in paragraph 132 on his report:

“an A3 northbound on-slip and A3 southbound off-slip at A247 Clandon Road (Burnt Common) is proposed, principally to deal with the potential traffic impacts of Wisley airfield (Policy A35). This would help to relieve Ripley of some through traffic as well as serving development at Send, Send Marsh and Burnt Common.”

2.9 The importance of the Burnt Common slip roads was also reflected in the allocation of the required land under Site Policy A42, thereby fulfilling a requirement identified in Appendix 6 of the Infrastructure Schedule. Accordingly, failure to construct these slip roads has serious implications for the supporting road infrastructure needed to achieve the aims and objectives of the GBC Local Plan.

2.10 Although it had previously been proposed, currently there is no funding contribution from the Appellant towards the cost of constructing the new slip roads at Burnt Common. However, they do still remain within National Highways long-term road improvement programme (RIS3).

2.11 I believe that failure to provide the Burnt Common slip roads is a major infrastructure deficiency of the Appellant's proposals and another example of non-compliance with Site Policy A35. It is the Appellant's argument that traffic modelling and forecasting demonstrates that the slips are not necessary. Given that the Appellant's forecasting and modelling has been called into question before and during the inquiry, with significant errors and omissions being discovered and having to be corrected, the robustness of the Appellant's highway strategy, including the potential impact on Ripley High Street, must be called into question.

- 2.12 Next, I shall address the proposed **public bus services**, where **Requirement 5** stipulates: *A significant bus network to serve the site and which will also serve Effingham Junction railway station and/or Horsley railway station, Guildford and Cobham. This will be provided and secured in perpetuity to ensure that residents and visitors have a sustainable transport option for access to the site.*
- 2.13 The Appellant has proposed what they describe as a significant public bus service to serve the new site, as required by this policy, with relatively high levels of service frequencies.
- 2.14 Most public bus services in this part of Surrey require material levels of subsidy. The proposed development is no exception with the Appellant's 'WACT In Perpetuity Funding Framework' of July 2023 showing annual 'sustainable transport' costs of £475,563 projected at the time of the 2035 site handover date, mostly for the bus subsidies.
- 2.15 After the site is handed over, the bus service will become the responsibility of WACT, a charitable trust to be established under the control of 11 trustees. The principal sources of income for WACT will be rental incomes from the endowed housing and the estate charges on residents.
- 2.16 Initially, WACT will be controlled and funded by Taylor Wimpey, although after handover the majority of trustees will be independent. In cross-examination Mr Collins acknowledged that a majority of the WACT trustees are likely to be site residents following the handover, since they will be the people most motivated to take on this unpaid voluntary role.
- 2.17 It seems unlikely that such residents will wish to continue to support high levels of bus subsidies for very long, since they are effectively being funded by the residents' estate charges. The 2035 budget figure for sustainable transport implies an average cost of £280 per household per year for the Taylor Wimpey part of the site. Since the majority of site residents will probably not actually use the bus services, reducing the bus service levels would be a way of keeping residents' estate charges down.
- 2.18 In his evidence, Mr McKay said he expected that the bus services as set out in the Public Transport Strategy document would evolve over time according to the levels of demand experienced. In cross-examination Mr Collins also accepted that the WACT trustees could make changes in future bus schedules "*within limits*". I believe his limits are referring to the Section 106 agreement in which the Appellant is committed to maintaining the "*new bus services to be provided materially in accordance with the Public Transport Strategy*".

- 2.19 In a situation where bus schedules are expected to change over time and where the WACT trustees do have the authority to make service cuts, then provided some justification is given by the trustees, I can see no reason why a steady, and indeed “*material*”, reduction in bus services may not be made by the WACT in future.
- 2.20 Mr Russell, the expert transport witness for WAG, summarised it rather more briefly in his Evidence-in-Chief by simply saying: “*there is no guaranteed service level*” for the public bus services. In fact, all that is guaranteed is that the Public Transport Strategy will be reviewed and that the bus services will be provided in accordance with that strategy after such review.
- 2.21 Accordingly, I believe that with a WACT legal structure that will inevitably reflect the future decision-making of site residents, it seems clear that the public bus subsidies as now proposed cannot be considered to be secured in perpetuity, as stipulated by Requirement 5 of the site policy.
- 2.22 I now turn to consider the proposed **cycle routes**.
- 2.23 **Requirement 6** stipulates that:
An off-site cycle network to key destinations including Effingham Junction railway station, Horsley railway station/Station Parade, Ripley and Byfleet to be provided with improvements to a level that would be attractive and safe for the average cyclist.
- 2.24 I demonstrated both in my Proof and in my Evidence-in-Chief that none of the Appellant’s proposed cycle routes meet the requirements of being both safe and attractive. Critically, there is no safe cycle route being proposed to Effingham Junction, despite it being the closest railway station to the site.
- 2.25 The Appellant has argued that this route is not needed, nor is it able to be provided, and that a comparable alternative is provided to Horsley Station instead, adding that such an alternative is permitted under the subsequent paragraph of the policy, Requirement 7. I do not agree, since the proposed cycle route to Horsley Station via Long Reach is not ‘safe and attractive’, being far longer and with significant safety risks, nor does it go to Effingham Junction. As such this route cannot be considered as “*comparable mitigation*” which is the stipulation of Requirement 7.
- 2.26 Moreover, I also agree with the position of WAG that the “*comparable mitigation*” clause in requirement 7 does not relate to transport infrastructure but to “*other*” infrastructure.

- 2.27 In cross examination Mr McKay confirmed that a cycle route was not possible along Old Lane as there was insufficient highways' land available there. He also confirmed that the Appellant had obtained title documentation for land adjoining Old Lane, but that they had not made any contact or entered into any discussions with the adjoining land owners in order to consider the possibility of providing additional width for a cycle route along Old Lane.
- 2.28 I believe that the absence of any attractive and safe cycle route to the nearest local station is another major failing of the Appellant's application and one that gives clear demonstration of its fundamental lack of sustainability. I shall consider further policy implications arising from the Appellant's proposed cycle routes a bit later.
- 2.29 Now I wish to consider the **Other Infrastructure** requirements set out in Policy A35, which include three more requirements not being met by the application.
- 2.30 **Requirement 9** says that a GP surgery "*must be provided on the site*". Although options are nominally being kept open by deferring the decision, the Surrey Heartlands ICB has made very clear its preference is to expand existing medical centres around the area and so it seems very unlikely there will ever be a GP Surgery on this site.
- 2.31 The latest S106 draft has no less than nine local medical facilities identified to potentially receive funding. The result is that there will inevitably be further trips made off-site by more cars, since sick or unwell residents are unlikely to cycle over to East Horsley or Send or any other off-site location to see a doctor. As for buses, as I mentioned earlier, there are also doubts about the service level being provided in the longer term.
- 2.32 **Requirement 11** requires that:
"Every effort must be made to reduce the harm to the SNCI through appropriate avoidance and mitigation measures."
- 2.33 As I explained in my Proof, there are no measures being proposed to reduce **harm to the SNCI** from additional recreational pressure, as the Appellant's ecological adviser, Dr Brookbank, confirmed in her cross-examination. She did indicate that compensation land would be provided in the SANG, but technically this represents neither avoidance nor mitigation.
- 2.34 Another key element of site infrastructure is the **sewage facility** at nearby Ripley. To address this **Requirement 15** says the application must:
"Ensure that sufficient capacity is available within Ripley wastewater treatment works to accept wastewater from this development within its permitted limits."

- 2.35 Thames Water have stated there is only sufficient capacity at their Ripley treatment works to support up to 600 new homes at the new site. Thereafter, they will need to expand their facility at Ripley. Although this matter is proposed to be addressed through a Planning Condition, there are many uncertainties to be resolved before such facility expansion can actually be accomplished, including overcoming the current debt crisis reportedly facing Thames Water. Should any of these uncertainties not be overcome, then only 30% of the site would be build-out, which would clearly be an unsustainable outcome.
- 2.36 Under 'Other issues', there is also **Requirement 24** which stipulates:
"Sensitive design at site boundaries that has significant regard to the transition from village to greenfield"
- 2.37 As my Proof explains, the full Wisley airfield development will involve a dense line of urban housing stretching for 0.85km along Ockham Lane from Yarne up to Bridge End. With such an abrupt transition between the new settlement and the existing village areas south of Ockham Lane, I believe this cannot possibly be considered as *"sensitive design"*. As Mr Williams confirmed in cross examination, the 'lower density' strip of housing along the Ockham Lane frontage will be just one dwelling deep, with higher densities immediately behind this frontage development and visible through it.
- 2.38 Overall, I have identified eight requirements of Site Policy A35 which are not being complied with by the Appellant. Requirements 1, 4, 5 & 6 in particular involve fundamental elements of transport sustainability which collectively I believe must lead the Inspector to conclude that this site is not sustainable.

3. LOCAL PLAN: Other policies

- 3.1 Next, I shall address some other Local Plan policies which are also not being complied with, starting with failure to protect the Thames Basin Heaths SPA at Ockham Common.

Policy P5 Thames Basin Heaths Special Protection Area ('SPA')

- 3.2 In my proof I asserted there would be considerable harm to the SPA at Ockham Common arising from increased recreational pressure from residents and dogs living at the new settlement. I included a detailed visitor analysis submitted by my clients in their September 2022 objection, which demonstrated how the very large number of dogs at the settlement (estimated at 723 dogs from national pet profiles) would inevitably overwhelm the nearby SPA, which lies very close by and is easily accessible along four separate PROW's.
- 3.3 My clients analysed the current number of dog visits into the Ockham Common, since this is the section of the SPA closest to the proposed settlement. Their estimate came to around 56 dogs per day, meaning that if the average dog walker living at the new settlement walked into this part of SPA on just one day every week, then this would represent an increase in visits there of around 200%.
- 3.4 In her rebuttal, Dr Brookbank, the Appellant's ecological advisor, criticised the Horsley's approach, arguing that their base estimate of current visitors was too low - even though it was derived from her own 2018 survey and validated against Natural England's tally counter within Ockham Common. It appeared that she did not understand that the figures given by my clients were for Ockham Common alone and did not include the Wisley Common section of the SPA on the west side of the A3 - due to the lengthy distances involved they considered it very unlikely that many new site residents would walk their dogs so far.
- 3.5 During my cross-examination Dr Brookbank did, however, admit there would inevitably be some visitors going from the site into the Ockham Common SPA but that these would be offset by current SPA dog-walkers switching into the SANG. She also explained that it was a Natural England requirement there should be no net increase in SPA visitor numbers overall being caused by the development. During my cross-examination Dr Brookbank admitted she had not undertaken any analysis of current or future visitor numbers herself, even though she had previously conducted surveys of Ockham Common for Natural England. She also believed that Natural England had not made any visitor estimates either. However, because they were satisfied that the SANG and SAMM proposals of the Appellant complied with their current SPA policy, they were both confident that no net increase in SPA visitor numbers would arise.

- 3.6 In her re-examination comments, Dr Brookbank did provide an estimate for the daily numbers of visitors presently going into SPA. However, from her comments it seems that it was made for the SPA as a whole, including Wisley Common, and so was not directly comparable with the Horsleys' calculations.
- 3.7 Without presenting any worked estimates for the current number of visitors going into Ockham Common, nor calculating the probable numbers of visitors going there from the new settlement in the future, I really do not see how either Dr Brookbank or Natural England can possibly reach the conclusion of no net increase in visitor numbers with any degree of confidence at all.
- 3.8 Indeed I would argue that given the enormous disparity between current SPA visitor numbers and the numbers of future site residents, added to the ease of access along four nearby PROW's, then it seems to me almost an impossibility that there will *NOT* be a net increase of visitor numbers.
- 3.9 The issue of harm to the SPA is covered by Local Plan Policy P5 which states that:
Permission will only be granted for development proposals where it can be demonstrated that doing so would not give rise to adverse effects on the ecological integrity of the Thames Basin Heaths Special Protection Area (SPA), whether alone or in combination with other development.
- 3.10 I believe that no such demonstration has been given and that therefore the Inspector may reasonably consider dismissing the appeal based upon this policy alone.
- 3.11 I am well aware that the statutory authority, Natural England, have not objected to this application. By contrast the Ockham & Wisley Commons site manager, Surrey Wildlife Trust, has objected, and very strongly, on the grounds that this site has particular conditions which will mean the general SANG policy of Natural England will not be effective here. Specifically, they believe the very close proximity of this large development and the readily accessible public rights of way leading into the SPA will result in considerable recreational pressure to the detriment of its protected ground nesting birds.
- 3.12 As I said in my Proof, the Inspector will have to decide whose opinion appears the more credible here: Natural England, whose view is based solely upon compliance with their general SANG-based policy, or the site manager who is responsible for managing this particular reserve, as well as a further 67 nature reserves across Surrey.

Policy D1 Place-making

- 3.13 Local Plan Policy D1.4 on Place-making states that:
All new development will be designed to reflect the distinct local character of the area and will respond and reinforce locally distinct patterns of development.
- 3.14 As I described in my Proof, the proposed high density urban development for Wisley airfield totally fails to respond to or reinforce the well-defined distinctive patterns of development in the area. On the contrary, the proposed development will have a “catastrophic impact” on local character, to borrow the words of the 2017 appeal inspector. Both he and the Secretary of State agreed substantial harm to local character would arise from the development as then proposed by WPIL. The current proposal from the Appellant is no different in this respect.
- 3.15 In his evidence, Mr Williams for the Appellant insisted that the design and place-making concept was focused upon the establishment of a number of garden squares within the urban settlement proposed. However, it was pointed out during his cross-examination that three of the four examples he included in his Design Principles document at page 26 were actually taken from cities (Guildford and London), and that all of them showed extensive areas of grass and landscaping in contrast to the hard-surfaced and car-dominated courtyard squares shown in his various illustrations.

Policy ID9 Achieving a comprehensive Guildford Borough cycle network

- 3.16 Policy ID9 Achieving a comprehensive Guildford Borough cycle network states in Part 4:
Cycle routes and infrastructure are required to be designed and adhere to the principles and quality criteria contained within the latest national guidance.
- 3.17 As I mentioned earlier, the five cycle routes proposed around the Wisley site do not comply with the latest national cycling guidance LTN1/20. The Appellant does not deny this but argues that LTN1/20 is guidance only and is not compulsory. However, Local Plan Policy ID9 is clear that new cycle routes are *required* to adhere to the latest national guidance. This implies that compliance is not optional.
- 3.18 Mr Collins’ added Inquiry Documents ID5.41 (Healthy Streets, published by SCC) also stipulates that all new cycle routes should comply with LTN1/20 and in his evidence he said that developers are expected to comply with these standards. The reason why an exception should be made for the Appellant was not made clear.

- 3.19 I believe that the Appellant's failure to comply with Policy ID9 in respect of its cycle route proposals must weigh very heavily against the proposal, given its implications for transport sustainability at the site.

Policy D5 Amenity Protection

- 3.20 Local Plan Policy D5 on Amenity Protection states that:
Development proposals are required to avoid having an unacceptable impact on the living environment of existing residential properties.
- 3.21 As I described in my Proof, this large site set in the midst of Ockham village will have many unacceptable amenity impacts. Specifically, the lives of Ockham residents will be blighted by construction noise, fumes, dust and traffic disturbances which might last for 12 years or more.
- 3.22 I consider the long duration and scale of these disturbances will represent an unacceptable impact on existing residents. Policy D5 also states that avoidance of such impacts is *required*. It is not an option. Accordingly, the proposed development fails to comply with this Local Plan policy too.

Policy E5 Rural Economy

- 3.23 Local Plan policy E5 on the Rural Economy states in Paragraph 3 that:
Agricultural land will be protected as set out in national policy and the economic and other benefits of the best and most versatile agricultural land will be taken into account.
- 3.24 I accept the Appellant's argument that the considerable loss of BMV land is inevitable given the Local Plan allocation of this site. However, such loss still carries weight against the proposals in the overall planning balance.

Policy P1 Surrey Hills AONB

- 3.25 In my Proof, I asserted that contrary to Local Plan Policy P1, the development will harm the setting of the Surrey Hills AONB due to its impact on long-distance views from footpaths in the hills above West Horsley and Clandon.
- 3.26 The 2017 appeal inspector agreed with this assessment, although the Appellant's landscape adviser, Mr Davies, did not. He argued that because the buildings are to be up to four storeys in height, not five storeys as in the WPIL proposal, then they would be less noticeable. In cross examination, however, Mr Davies did concede there would actually be little visible difference between four and five storeys when seen from the Surrey Hills AONB. Since this is essentially a matter of perception, the inspector resolved to visit the area and to assess these particular views for herself.
- 3.27 In addition to Site Policy A35, I have now cited a total of six further policies from the Local Plan with which the development fails to comply. Now I shall consider the failure of the application to comply with the Lovelace Neighbourhood Plan.

4. LOVELACE NEIGHBOURHOOD PLAN

4.1 In my Proof I cited a total of 15 policies from the Lovelace Neighbourhood Plan with which the development failed to comply. Most complement similar Local Plan policies whilst emphasising specific features or priorities of the Lovelace area and therefore may be important to an assessment of the proposed development within its particular local context.

4.2 I would like to emphasise in my Closing five Neighbourhood Plan policies in particular:

4.3 **Policy LNPH1 Housing** contains several criteria with which the development fails to comply:

a) Major developments demonstrate sustainability in terms of infrastructure, environmental impact and social cohesion.

(d) New residential development should not have an adverse impact on the TBHSPA

There is also a criterion giving details of the unacceptable amenity impacts, namely:

(j) It does not adversely affect neighbouring amenity or have a significant adverse impact on existing developments by way of noise, smell, increased carbon emissions and reduced air quality or other environmental factors.

4.4 In my Proof, I demonstrated that none of these policies are met by the proposed development. Moreover, Mr Baker, WAG's technical expert on ecology, suggested in his evidence that the worsening of air quality at and around the site will also impact the ecology of the area and thus represents a further "*environmental factor*" to be considered, contrary to Policy LNPH1(j).

4.5 **Policy LNPH3 Housing design & density** addresses the SPA under criteria (m) stating that:

m) Developments do not increase recreational pressure on the TBHSPA.

4.6 Earlier I addressed the SPA with reference to Local Plan Policy P5, but this Neighbourhood Plan policy specifically refers to increased recreational pressure on the SPA with which the development evidently fails to comply. As the Horsleys' visitor analysis has demonstrated, there will clearly be increased recreational pressure on the SPA, contrary to Neighbourhood Plan Policy, LNPH3(m).

- 4.7 **Policy LNPI3 Cycling & Walking** also reinforces my concerns over the SANG footpath routes, specifically requiring that:
- a) *The provision or improvement of footpaths and cycleways should be directed away from the European designated sites and must not lead to adverse impacts upon the TBHSPA, including through increased visitor pressure.*
- 4.8 As I explained during my Evidence-in-Chief, the circular dog walking routes of the Northern SANG areas intersect with four PROW's at positions very close to the SPA. This matter is also a particular concern for the RSPB, who object to the proposed development on grounds of increased visitor pressure, commenting in particular that the SANG paths will draw residents closer to the SPA and therefore encourage more visits there, not less.
- 4.9 In the Northern SANG areas in particular, the majority of the paths are also cycle routes, either 3m or 4m in width, which are likely to actually discourage dog walkers due to the potential conflict between dogs and bicycles, and therefore encourage them to use the quieter and safer PROW's leading into the SPA.
- 4.10 **Policy LNPI6: Healthcare and Education** states that:
- "Major developments generating healthcare and educational needs will be expected to contribute to provision of facilities to meet these needs through planning obligations. The provision of new healthcare and educational facilities should be: a) Located where they will not generate increased traffic through the villages."*
- 4.11 Assuming neither a secondary school nor a health centre is built on site, the proposed development will breach this policy as all residents will have to travel to nearby villages to obtain these services. Increased traffic flows are inevitable.
- 4.12 Finally, I note the Lovelace Neighbourhood Plan includes policy **LPEN4 on Light Pollution** which applies both to lighting designs within the site and also to the many traffic calming installations proposed along local country lanes where lighting will be required.
- 4.13 Overall, I believe these five particular Lovelace Neighbourhood Plan policies give significant support to the case for refusal of the appeal. In this regard, I will now turn to address the overall planning balance.

5. THE PLANNING BALANCE

Planning Harm

- 5.1 In my Proof I identified fourteen areas of planning harm associated with the Wisley airfield development. Whilst some new evidence has emerged during the inquiry, my conclusions in respect of planning harm have not changed, as I shall now summarise:
- 5.2 **Harm to local character** arises from the insertion of a high-density urban development into a historic rural area of great charm. The 2017 appeal inspector assessed this harm as being substantial, as do I. Changes from the WPIL proposal further exacerbate this harm with the urbanisation of Ockham Lane and six rural roads inflicted with intensive traffic calming. The Appellant has argued the Local Plan site allocation presumes some level of harm to character and I do not disagree. However, I also believe that in the planning balance analysis this is still very relevant and that it does indeed represent *substantial* harm.
- 5.3 **Harm to the appearance of the area** involves visual impacts at short, medium and long range. The short range is primarily along Ockham Lane. The medium range impact involves the six rural lanes urbanised by traffic calming, whilst the long impacts concern views from the Surrey Hills. Like the 2017 appeal inspector I consider this harm to be *substantial*.
- 5.4 All of the site is surrounded by **Green Belt**, in which many rural country lanes are being subjected to increased traffic flows. Given the importance of the Green Belt, I believe this additional activity combined with harm to its appearance from urbanised traffic calming represents *substantial* harm.
- 5.5 The development also involves the **loss of 68.5 hectares of BMV agricultural land**. The Appellant argues that this loss is implied by the site allocation and again I agree with him. However, given the scale and quality of land lost, the harm is still there and so should rightly be included within the planning balance.
- 5.6 I have discussed the **harm to the Thames Basin Heaths SPA** at some length, since this represents a major failing of the development. Although the 2017 appeal inspector was neutral on this matter, he was not presented with any detailed assessment of the recreational impacts and so accepted the SANG policy-driven view of Natural England. As previously discussed, I believe there is a strong argument for the Inspector to reach a different position on this important matter.

- 5.7 There is also further **harm to ecology** arising from recreational pressures on the nearby SNCI. Compensation land is offered but the ecological harm still arises. Also there has been no assessment of the scale of ecological impacts arising from the traffic calming works along six rural lanes, including the lighting impacts, whilst the ecological assessment on trees along Ripley High Street is still to be undertaken. Overall, I believe the ecological harm is likely to be *significant*.
- 5.8 In my Proof I detailed the Appellant's **inadequate response to Climate Change** since not a single house is proposed to have solar panels pre-installed. Mr Collins in cross-examination commented that at the Reserved Matters stage such houses might or might not have solar panels pre-installed, but he was not exactly encouraging.
- 5.9 Moreover, the exact design and specification of the proposed Energy Centre has not been resolved at this stage, although it is promoted by the Appellant as a fundamental element of site infrastructure. Until finally designed and specified, it is unclear what the costs and viability will be, although the draft Section 106 agreement makes it clear these costs will fall on the residents in the event the Energy Centre should prove to be unviable. Also, as Mr Collins accepted in evidence, it would not be possible to force residents to use the Energy Centre, leaving them free to choose an alternative supplier if they so wish.
- 5.10 I believe no issue was discussed more at the inquiry than **road traffic impacts** arising from the development, an issue raised by almost every local resident who objected. Of particular significance are the various errors in the WSP traffic flow predictions identified by Mr Russell on behalf of WAG. These included tabular errors in vehicular flows at the two access points and a fundamental modelling error of the Ockham Park roundabout which showed that, contrary to Mr McKay's assertions, it will periodically exceed its capacity limits and experience significant congestion by the forecast end date of 2038. Even without the Wisley development, the Ockham Park roundabout will be over its capacity limit at times by that date. Mr McKay's original Transport Assessment claiming that there would be 13% capacity here was shown to be very wide of the mark.
- 5.11 Mr Russell did acknowledge that due to Mr McKay's limited disclosure of the assumptions underlying WSP's traffic model, he was unable to say whether or not the overall impact of the development would be severe for NPPF 111 purposes. However, he did assert the application failed the NPPF 111 test in terms of road safety because of the non-LTN1/20 compliant cycle routes being proposed.

- 5.12 Mr Russell also declared that the scale of traffic displacement around the local road network would be considerable, as local traffic adjusted to increased congestion and the new traffic calming installations proposed. The WSP model in the Transport Assessment, for example, shows traffic increases between 2019 and 2038 due to the Wisley development of 225% along Plough Lane, 33% along Ripley Lane, 32% along Old Lane and 26% on Ripley Road in East Clandon. I believe that such evidence gives a clear indication of the harm to be caused to local traffic flows as a result of this development, which should be treated as *substantial*.
- 5.13 I note that SCC have not objected to the application on traffic grounds and normally this would carry considerable weight. However, it may be noted that Mr McKay confirmed on a number of occasions that his transport information and modelling had been internally audited, and been checked by SCC and National Highways. Mr McKay also commented that the lead SCC officer involved was very experienced, but he had still failed to identify the errors and omissions identified by Mr Russell. Accordingly, the Inspector may wish to consider carefully the appropriate weight to be given to these statutory authorities' views in this particular case.
- 5.14 Another major area of concern to residents is harm to **social infrastructure**, particularly local schools and medical facilities. As mentioned earlier, no secondary school is anticipated at the development whilst an on-site medical facility seems very unlikely. Accordingly, I maintain my view that this represents *substantial* planning harm to the social infrastructure of the area.
- 5.15 **Harm to heritage assets** is acknowledged by the Appellant and has been identified by Historic England as '*less than substantial*' harm. I note their assessment did not include the Hallam Land application along Ockham Lane, which will clearly impact on the rural setting of the Ockham Conservation Area, as will the intensive traffic calming proposed along Ockham Lane.
- 5.16 However, I do differ from Historic England in believing that the net public benefits arising from the development do *not* justify this level of heritage harm, but then I note that Historic England were not aware of the additional issues impacting Ockham Lane. Accordingly, I maintain my view that heritage harm from the development is '*less than substantial*' and that it should carry *significant* weight in the planning balance.
- 5.16 I have already discussed **harm to residential amenity** which due to its very long-term and widespread nature should, I believe, be given *substantial* weight in the planning balance.

Planning Gain

- 5.17 Concerning the planning benefits, I identified three main areas in my Proof:
- 5.18 The **provision of new housing** must be considered the major benefit of this development. In my Proof I note the error acknowledged by the ONS in their population projections for students within Guildford borough, which resulted in a material over-estimation of the future housing needs projected in the Local Plan. I fully appreciate the Local Plan still remains in force, although I understand GBC are now considering whether to undertake a Local Plan review. Given the scale of the housing needs over-estimation, I consider this application to represent a very unusual case and so attribute only *significant* weight to housing in this particular instance.
- 5.19 I do, however, consider **affordable housing** differently. There clearly remains strong need for such housing within the borough and so I would attribute *substantial* weight to the value of such provision. This is a somewhat theoretical assessment, of course, since all new housing needs to be sustainable, which is not presently the case with this proposed development.
- 5.20 Regarding other benefits, no evidence arose at the inquiry to make me reconsider my assessment. In his Proof Mr Collins attributes *substantial* weight to the **economic** benefits arising, in particular due to the relatively large numbers of office workers at the employment centre on the site. However, in cross-examination he also admitted the exact scale of these offices would not be determined until the Reserved Matters phase and indeed Mr McKay in his transport modelling assumed a much lower number than Mr Collins in his economic analysis.
- 5.21 Accordingly, I maintain my view of giving only *limited* weight to the economic benefits.
- 5.22 **Other benefits** claimed by the Appellant include the provision of new SANG areas, cycle routes, public bus services, recreational areas, etc. The 2017 appeal inspector considered such benefits to represent either double counting, mitigation for the development or primarily for the benefit of site residents and therefore he gave them *limited* weight in his planning balance. As do I.

6. CONCLUSION

- 6.1 Recognizing that the Wisley airfield site is not presently sustainable, the policy makers of the Local Plan included detailed requirements in Site Policy A35 to ensure the site could actually become sustainable in the future. However, this has not been achieved because too many of these policy requirements have not been met.
- 6.2 As I have demonstrated, at least eight Policy A35 requirements are not being satisfied including four key policies relating to transport infrastructure. Without transport sustainability, travel to and from the site will remain highly dependent upon motor vehicles.
- 6.3 There is also a clear failure to comply with many other policies of the Local Plan and Lovelace Neighbourhood Plan, including prevention of harm to the Thames Basin Heaths SPA.
- 6.4 In my planning balance assessment there are fourteen areas of planning harm identified, mostly involving substantial or significant harm and considerably outweighing the benefits of new housing at this unsustainable site.
- 6.5 As I said at the outset, my case for dismissal has rested upon two main elements:
- a) That the proposed development fails to comply with the development plan as a whole; and
 - b) That the assessed planning balance shows a considerable excess of planning harm over planning benefit arising from the proposed development.
- 6.6 I believe that through my Proof and Evidence-in-Chief to the inquiry both elements have been clearly demonstrated. Accordingly, I request that the Inspector should refuse the appeal.
- 6.7 Thank you, madam, that concludes my Closing Submission.

Colin Smith,

Colin Smith Planning Ltd.

on behalf of East Horsley and West Horsley parish councils.