

Shortland Farm

Final Statement of Common Ground

Pursuant to the appeal against non-determination of planning application 25/9/01521 by Guildford Borough Council

Gleeson Land Limited

31 July 2026

LICHFIELDS

69909/06/DL/RC
41447300v1

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1.0 Introduction

- 1.1 This Statement of Common Ground (“SoCG”) has been prepared by Lichfields on behalf of Gleeson Land Limited (“the Appellant”) and Luken Beck on behalf of Guildford Borough Council (“GBC”). It comprises planning facts and issues in relation to the appeal by the Appellant against the non-determination of the outline planning application (25/P/01521) by Guildford Borough Council (“GBC”) at land at Shortland Farm, Guildford Road, Ash, Guildford, GU12 6DF (“the Appeal Site”) for (“the Appeal Scheme”):

Outline planning application with all matters except for the accesses from Guildford Road and Wyke Lane reserved, for subsequent approval for the demolition of the existing buildings and hardstanding and the erection of up to 200 residential dwellings including affordable housing and plots of self-build plots (Class C3); green and blue infrastructure and associated service and utility structures.

- 1.2 The Appellant has lodged an appeal against non-determination. Following the submission of the notification of intent to appeal on the 30 March 2026 a report was prepared by GBC Officers and considered by the Council’s Planning Committee on the 24 June 2026. The report was presented to the Committee with a recommendation for refusal on three grounds, had the application not been the subject of a non-determination appeal and it had been the determining body. An Update Sheet was also presented to the Committee, which introduced a fourth recommended reason for refusal. The Planning Committee voted unanimously to refuse the application, on these grounds, had it been the determining body.

- 1.3 This SoCG has had regard to the Planning Inspectorate’s Statement of Common Ground Template and Notes (November 2024) and the Inspectors CMC Summary Note (6 July 2026) and addresses the following areas of common ground sought by the Inspectorate:

- 1 Agreed description of the Appeal Site and the local area;
- 2 An overview of relevant planning history;
- 3 The Appeal Scheme, including a list of the drawings and documents considered by the Council at the application stage and a list of any new drawings and documents submitted with the appeal;
- 4 Identifying the main concerns of interested parties and consultees;
- 5 A summary of relevant development plan policy and supplementary guidance, national policy and other guidance; and
- 6 Planning considerations which are in agreement and disagreement between the parties.

- 1.4 The SOCG does not contain a list a list of suggested planning conditions. On 7 July 2026 the appellants forwarded their response to GBCs initial schedule of draft planning conditions issued to the Appellant on the 16 April 2026. The Appellant and GBC intend to liaise on these and are aware that the Inspectors note of the CMC (CD 12.01) identifies that the Inquiry schedule seeks the submission of the latest version of these along with the exchange of evidence on Tuesday 18 August 2026.

2.0 The Appeal Site and Local Area

2.1 This section sets out factual information regarding the Appeal Site and its surroundings (the local area).

2.2 The Appeal Site and surroundings are summarised fully within the original submission, particularly the Planning Statement, prepared by Lichfields. The key points of relevance to the appeal process are summarised below.

The Appeal Site

2.3 The Appeal Site amounts to circa 10.18ha¹ and lies to the east of the village of Ash. Specifically, the Appeal Site lies to the immediate south of Guildford Road (A323) and to the immediate west of Wyke Lane. It contains some previously developed land with farm buildings and hardstanding which is centrally located.

2.4 The greenfield element of the Appeal Site is divided into several field parcels, lined with hedgerows of varying thickness and some mature trees. The northern boundary is also lined by some mature trees and post-and-wire fencing. There is a single-track internal road that leads to the Shortland Farm buildings from Guildford Road in the north, the track is lined by low wooden post fencing. There is also a small watercourse that runs outside the Appeal Site, adjacent to the western half of the southern boundary.

2.5 There is a Public Right of Way (“PROW”) (Ref. FP 356) that crosses the Appeal Site in a south-west to north-east direction between the farm buildings and Guildford Road. The PROW is lined by a strip of mature trees/hedgerows along the entirety of its route with some gaps through the Appeal Site.

2.6 The Appeal Site is relatively flat at approximately 75m above ordnance datum (“AOD”) to 85m AOD across the Appeal Site.

The Local Area

2.7 To the north of Guildford Road are residential and commercial properties. To the east, the Appeal Site is bound by Wyke Lane (a wide lane with a pavement and two-way junction onto Guildford Road), beyond which lies residential dwellings. To the south, the Appeal Site is bound by agricultural land, beyond which lies Harper’s Road. To the north-west are five residential properties (nos. 130-138 Guildford Road), beyond which lies ‘Harpers Recreational Ground’ and ‘Ash Playground’. Directly to the west are residential dwellings along Harper’s Road and ‘Totterdown Preschool’ Childcare and Nursery.

2.8 Access to the Appeal Site is taken from Guildford Road (A323) to the north. The centre of the Appeal Site is located approximately 700m to the east of Ash railway station.

¹ The planning application form identifies the correct figure but some of the application / appeal documents identify a slightly higher site area of 10.24 hectares.

3.0 Relevant Planning History

Development Management

- 3.1 The Appeal Site has previously been subject to an outline planning application (ref.17/P/00507) for residential development consisting of 300 units (105 affordable) with all matters reserved.
- 3.2 This application was refused on 8 September 2017. The reasons for refusal were as follows:
1. The proposed development is inappropriate development within the Green Belt and is harmful by definition. In addition, the level of development proposed would have a clear and substantial detrimental impact on the openness of the Green Belt and conflicts with the purposes of including land within the Green Belt. It has not been demonstrated that the benefits of the proposal amount to very special circumstances such as to clearly outweigh the harm to the Green Belt and the other harm identified. The development therefore fails to comply with the objectives of policy RE2 of the Guildford Borough Local Plan 2003 (as saved by CLG Direction dated (24/09/2007) and chapter 9 of the National Planning Policy Framework.
 2. The proposed development is within the 400m exclusion zone of the Thames Basin Heaths Special Protection Area where it could have potential significant effects on the Ash to Brookwood Heaths Site of Special Scientific Interest. The Thames Basin Heaths Special Protection Area Avoidance Strategy 2017 indicates that mitigation measures are unlikely to protect the integrity of the SPA, so residential development should not be permitted. Furthermore the application site has the potential to support a number of protected species and it has not been demonstrated that the proposals could be undertaken without causing significant harm to these protected species. As such the proposal is contrary to saved policies NE3 and NE4 of the Guildford Local Plan 2003, saved policy NRM6 of the South East Plan 2009 and would be contrary to the objectives of chapter 11 of the NPPF. For the same reasons the development would fail to meet the requirements of Regulation 61 of The Conservation of Habitats and Species Regulations 2010, as amended, and as the development does not meet the requirements of Regulation 62 the Local Planning Authority must refuse to grant planning permission.
 3. The proposed development involves the creation of a vehicular access to Guildford Road (A323) where it has not yet been demonstrated that the proposed access could be implemented in accordance with Design Manual for Road and Bridges, nor has the impact of this access on the flow of traffic on Guildford Road be assessed adequately. This could lead to conditions prejudicial to highway safety contrary to the objectives of Policy G1(2) of the Guildford Borough Local Plan 2003, Section 4 of the National Planning Policy Framework March 2012 and the third Surrey Local Transport Plan April 2011.
 4. The proposed development involves the creation of a vehicular access to Wyke Lane (D66) where it has not yet been demonstrated that the proposed access could be implemented in accordance with Manual for Streets. This could lead to conditions prejudicial to highway safety contrary to the objectives of Policy G1(2) of the

Guildford Borough Local Plan 2003, Section 4 of the National Planning Policy Framework March 2012 and the third Surrey Local Transport Plan April 2011.

5. It has not been demonstrated that the development is located in a sustainable location, or that the need to travel can be minimised and the use of sustainable modes can be maximised. The proposal is therefore contrary to the objectives of Policy G1 (2) of the Guildford Borough Local Plan 2003, Section 4 of the National Planning Policy Framework March 2012 and the third Surrey Local Transport Plan April 2011.
6. It has not been demonstrated that development related traffic can be accommodated on the existing highway network without causing significantly affects, in particular the operation of the Guildford Road and Ash Hill Road roundabout and the safe operation of the nearby rail crossing. This could lead to conditions prejudicial to highway safety contrary to the objectives of Policy G1(2) of the Guildford Borough Local Plan 2003, Section 4 of the National Planning Policy Framework March 2012 and the third Surrey Local Transport Plan April 2011.
7. The proposed development would diminish the separation between the exiting settlements and will encourage unplanned sprawl. In addition to this the proposed development would be visually intrusive and not in character or keeping with its semi-rural location. The erection of 300 units on this site, in any form, would not respond to local context and would appear overdeveloped and urban in nature which again is not an appropriate design response for the urban-rural fringe. This would be detrimental to the character and appearance of the area. The proposal is therefore contrary to saved policies G1 and G5 of the Guildford Borough Local Plan 2003 (as saved by CLG Direction dated 24/09/2007), and chapter 7 of the NPPF.
8. It has not been demonstrated that the proposed development, due to the number of units, will not result in damage or destruction of the high amenity value on-site or adjoining trees which provide an important part of the landscape setting of the site. The proposals are therefore contrary to G1(12), NE5 and the NPPF.
9. The proposed development would cause less than substantial harm to the significance of both York House and East Wyke Farm Cottage (both Grade II Listed buildings) from impacts to their setting. Any public benefits identified do not clearly outweigh the harm caused. This is contrary to saved policy HE4 of the Guildford Borough Local Plan 2003 and the Chapter 12 of the National Planning Policy Framework.
10. It has not been demonstrated that the proposed development, by reason of the number of units proposed, and close proximity to the neighbouring dwelling at 138 Guildford Road, would not result in a detrimental impact to amenities of the occupiers of this property in relation to loss of light, loss of privacy and overbearing impact. The proposal is therefore contrary to saved policy G1(3) of the Guildford Borough Local Plan 2003.
11. In the absence of a completed planning obligation the development fails to mitigate its impact on infrastructure provision. This may include, but is not limited to the following:

- transport mitigation, inclusive of a contribution to facilitate an alternative to the Ash railway crossing
- transport sustainability measures
- the provision of 35% affordable housing, tenure to be agreed with the Housing Manager
- a contribution towards early years education infrastructure in the Ash and Tongham area
- a contribution towards primary education infrastructure in the Ash and Tongham area
- a contribution towards secondary education infrastructure in the Ash and Tongham area
- a contribution to expand Glaziers Lane surgery or other health facility as may be agreed
- the provision of community buildings / spaces
- the provision and maintenance of playing fields, children's play space and amenity space
- the provision and maintenance of SuDS

In addition to the above, it has not been demonstrated how the scheme would comply with the Conservation of Habitats and Species Regulations 2010, as amended.

Accordingly the proposal would be contrary to policy G6 of the Guildford Local Plan and the objectives of the NPPF.

- 3.3 Since this application was determined, there have been a number of changes in circumstance, including the appeal proposal relating to a lower quantum of residential development, the 2024 National Planning Policy Framework (“NPPF”), National Design Guide (January 2021) and the introduction of grey belt, ‘Golden Rules’, adoption of the Local Plan: Strategy and Sites (25 April 2019), Development Management Policies (22 March 2023), a higher level of housing need within GBC, the inability of GBC to demonstrate a five-year housing land supply (5YHLS) and the range of additional technical analysis that has been undertaken and is included within this appeal submission. This includes the reduction from 300 to 200 dwellings.
- 3.4 The Committee Report (CD 4.01) page 46 states: “The above reasons have been considered however there have been significant and material changes since in the intervening time and the application should be considered on its own merits”.

Local Plan Promotion

- 3.5 The Appeal Site was submitted to GBC’s Call for Sites process in June 2025 and was assessed as Site id 2457.
- 3.6 The Appeal Site is concluded in GBC’s 2025 Land Availability Assessment (“LAA”) as being not suitable for development due to being in the green belt. The appellant considers this is a blanket approach to all sites submitted which are in the green belt. Luken Beck on behalf of GBC cannot confirm this at this stage. In March 2026 the appellants submitted a further response to the LLA process.

4.0 Background Information and Key Milestones

- 4.1 This section sets out chronologically the pre-application and post submission milestones of the Appeal Scheme.

Pre-application engagement

- 4.2 A request for pre-application advice was submitted to GBC on the 7 July 2025. Confirmation of receipt of the pre-application request and the appropriate fee payment was made on the 11 July 2025. On the 9 October 2025 contact was made by GBC about starting pre-application discussions. Due to the significant passage of time since the request was made and the application being so close to submission, it was requested by the Appellant on the 13 October 2025 that the advice sought turned into post-submission advice in the form of a Planning Performance Agreement (“PPA”). Lichfields completed and issued the completed PPA form to GBC on the 13 October 2025.
- 4.3 A response to this PPA request had not been received at the time of submission of the planning application on the 6 November 2025, nor had it at the time of submission of this appeal. The pre-application fee originally paid, which had been expected to be used to fund a PPA, but which never came to fruition, has not been refunded.

Post-submission engagement

- 4.4 Notwithstanding the failure by GBC to progress the PPA, the appellants held three meetings with the original case officer (Muhammad Saleem) on.
- 1 9 February 2026
 - 2 23 February 2026
 - 3 18 March 2026
- 4.5 In each of these meetings, no clear indication was given by the case officer on whether GBC were supportive of the scheme, nor any indicative reasons why it might be refused.
- 4.6 The Appellant had some correspondence with a newly appointed GBC case officer around the time the notification of intent to appeal was submitted on the 30 March 2026.
- 4.7 There was telephone communication between Lichfields and the new case officer on 31 March 2026. The discussion focused on the potential for the application to be heard at the GBC April 2026 planning committee.
- 4.8 The new case officer visited the site on the 1 April 2026.
- 4.9 On the 2 April 2026 Lichfields on behalf of the Appellant contacted the case officer to advise that the Appellant and wider project team would like to explore the option for the application to be heard at the 29 April 2026 planning committee.
- 4.10 On 2 April 2026 a response was received from the case officer which confirmed he was going to take the application to the planning committee agenda setting meeting on the 8 April 2026.

- 4.11 On the 7 April 2026 an email was received from the case officer advising the planning committee agenda setting meeting had been pushed back to the 9 April 2026.
- 4.12 On the 8 April 2026 Lichfields on behalf of the Appellant responded asking for an update on GBC's appointed ecologist to enable a comprehensive ecology response for NatureSpace, Surrey Wildlife Trust and Accent Ecology.
- 4.13 On the same day an email was received from the case officer advising GBC will utilise the responses of Surrey Wildlife Trust and NatureSpace rather than waiting for a third response.
- 4.14 The Appellant was not informed of the outcome of the planning committee agenda setting meeting on the 9 April 2026, i.e. whether the Appeal Site made the agenda for this planning committee.
- 4.15 On the 16 April 2026, Lichfields on behalf of the Appellant advised that ecology work was being finalised and this appeal was being submitted imminently.
- 4.16 A further email was received on the 20 April 2026 advising the Appellant of adoption of the Surrey Local Nature Recovery Strategy (LNR).
- 4.17 Lichfields on behalf of the Appellant lodged the appeal on the 22 April 2026.

EIA Screening

- 4.18 A request for GBC to provide a formal screening opinion pursuant to Regulation 6 of the Town and Country Planning (EIA) Regulations 2017 (as amended) to confirm whether there is requirement for an Environmental Impact Assessment ('EIA') in relation this development on the Site was submitted on 6 August 2025.
- 4.19 The opinion issued by GBC on 27 August 2025 (ref. 25/S/00002) confirmed the proposed development would not amount to EIA development.

Public consultation

- 4.20 The accompanying Statement of Community Involvement (SCI) submitted as part of the outline planning application sets out a summary of the engagement undertaken with relevant consultees, the local community, and ward and parish councillors from July to October 2025 before submitting this application.

Application Submission

- 4.21 The application was submitted on 6 November 2025.
- 4.22 A full list of application documents submitted are included in the Core Documents list.
- 4.23 The net developable area (NDA) of the proposal is 5.483Ha.
- 4.24 The drawings and documents considered by the Council at the submission stage are set out at CD1. The plans, drawings and reports that were submitted during the determination process are set out at CD2.
- 4.25 The drawings for which the Appellant is seeking approval are:

- 1 C102A – Land Use Parameter Plan – updated to include indicative pedestrian connections to Wyke Lane (27 Mar 2026 – supplementary)
- 2 C103A – Heights Parameter Plan – updated to include clarification in the key that the heights proposed are storeys plus roof (27 Mar 2026 – supplementary)
- 3 C104 - Green Infrastructure Parameter Plan
- 4 Shortland Farm Primary Access Drawing (MJGWYKELANE 1/01 REV P4)
- 5 Shortland Farm Emergency Access Drawing (MJGWYKELANE 1/06 REV P2)

Statutory Consultee responses

4.26 The below sets out the status of consultee comments.

1a. No objections (some subject to conditions)

4.27 Consultees who have either raised no objection or suggested the imposition of planning conditions are listed below.

- 1 The Environment Agency;
- 2 Surrey County Council’s (“SCC”) Countryside Access Officer;
- 3 GBC’s Environmental Health Team in relation to air, noise and ground contamination;
- 4 GBC’s Arboriculturist;
- 5 SCC as Lead Local Flood Authority (“LLFA”) (following the submission of additional material);
- 6 Thames Water (Sewage);
- 7 Active Travel England; and
- 8 GBC’s Housing strategy & enabling manager.

1b. No objections subject to planning obligation

4.28 Where a financial contribution is sought by the consultees this is included in the draft S106 agreement² being discussed between the parties but on a number of points the appellants have noted “the contribution and its inclusion remains subject to clarification / justification of the amount and purpose”.

4.29 This includes responses where consultees have raised initial comments and / or sought additional information (which the Appellant have subsequently provided).

- 1 Natural England, no objection subject to securing appropriate mitigation which the appellant proposes to address through the draft S106 agreement - although it should be noted this is a matter in dispute.
- 2 Surrey Police (additional information has been sought by the Appellants through the draft S106 agreement)

² Dated 3rd July 2026 and forwarded to GBC on 7th July 2026.

- 3 SCC Highways (clarification on the amount has been sought through the draft S106 agreement)
- 4 Network Rail (additional information has been sought by the appellants through the draft S106 agreement).

2. Outstanding objections/clarifications

- 4.30 The responses below relate to the consideration of the appeal application by GBC Members on 24th June 2026. The appellants and GBC will address these matters in the forthcoming evidence

NatureSpace Partnership Limited (acting as GBC)

- 4.31 A comment was received from NatureSpace Partnership Limited, acting on behalf of GBC (25 February 2026) stating that the applicant had not adequately demonstrated that there will no impact to great crested newts and/or their habitat as a result of the development proposed. In response to this, FPCR has examined the concerns of the NatureSpace Partnership and provided more information about the potential presence of great crested newts at the Appeal Site as part of the appeal submission on the 22 April 2026. In so doing, FPCR has concluded that even in the event that great crested newts were breeding in nearby garden ponds, it is highly unlikely that these would be able access or be attracted to habitats in the Appeal Site. This is referred to in the Technical Note on Ecology (with the accompanying updated BNG spreadsheet) (CD8.01A). A response was received from NatureSpace Partnership Limited (24 April 2026) stating that the Appellant had not provided satisfactory information on protected species, namely Great Crested Newt. This remains a matter in dispute which will be addressed in evidence at the Inquiry.

Surrey Wildlife Trust

- 4.32 Surrey Wildlife Trust (“SWT”) on 20 March 2026 requested further information in relation to the ecological work undertaken with the application, as well as suggesting conditions to be imposed on the planning application.
- 4.33 The Appellant addressed these points in the Technical Note on Ecology (with the accompanying updated BNG spreadsheet) (CD8.01A). This note and BNG spreadsheet are cognisant of the LNR. The Surrey Wildlife Trust provided further comments dated 13 May 2026 which requested further information in relation to the ecological work undertaken, as well as suggesting conditions to be imposed on the planning application and this will be addressed further through evidence at the Inquiry.

Urban Design Officer

- 4.34 GBC’s Urban Design Officer has responded with a number of comments on the appeal application. In summarising the comments, the response states that they are:
- “Generally supportive of proposals however some concerns are raised regarding the lack of specificity in the parameter plans provided to provide a robust design framework (based on the positive vision presented) for future RMAs. Additionally, specific concerns are raised regarding the relationship of the development with Wyke Lane and the new urban edge(s) created by the development.”

4.35 The appeal scheme is an outline planning application, with only access unreserved. On the 27 March 2026, the below four updated plans were provided to GBC to address some of the Urban Design Officers comments. Their response is awaited although Design forms a matter in dispute which will be addressed through evidence at the Inquiry.

- 1 C101B – Illustrative Masterplan – updated to showing indicative pedestrian links to Wyke Lane;
- 2 C102A – Land Use Parameter Plan – updated to include indicative pedestrian connections to Wyke Lane;
- 3 C103A – Heights Parameter Plan – updated to include clarification in the key that the heights proposed are storeys plus roof; and
- 4 C105 – Parameter Sections – 2 x true site sections with neighbouring buildings and existing trees shown.

3. Interested Parties

4.36 A total of 101 letters of representation have been received (as stated in the Committee Report (CD4.01) page 42). Two Parish Councils and a local Action Group have objected to the scheme, namely:

- 1 Ash Parish Council
- 2 Normandy Action Group
- 3 Normandy Parish Council

4.37 The nature of the objections can be summarised as relating to:

The site is not grey belt and very special circumstances for green belt development are not demonstrated

Traffic and highways safety

Impact on the PROW

Flooding

Ecology and wildlife

Heritage

Drainage and surface water run-off

Water supply and sewage

Overdevelopment of the area

Character, appearance and scale of development

Contamination

Impact on local facilities

5.0 The Appeal Proposal

5.1 The description of development is as follows:

Outline planning application with all matters except for the accesses from Guildford Road and Wyke Lane reserved, for subsequent approval for the demolition of the existing buildings and hardstanding and the erection of up to 200 residential dwellings including affordable housing and plots of self-build plots (Class C3); green and blue infrastructure and associated service and utility structures.

5.2 The Appeal Scheme seeks outline planning permission for the erection of up to 200 homes comprising a mix allowing for the delivery of 1, 2, 3 and 4 bed units, 50% of which would be affordable.

5.3 All matters are reserved except for access, for which full details are provided. The Appellant has had regard to development plan policy around self and custom-build housing (LPSS policy H1) and considers this would be addressed though an appropriate legal agreement (or potentially a planning condition).

5.4 The application was submitted with Parameter Plans for which approval is sought as part of any planning application (as summarised in Section 4.o).

5.5 The Design & Access Statement demonstrates how the Appeal Site can be developed in accordance with the Parameter Plans.

5.6 Alongside the delivery of much-needed homes, the development includes:

A primary vehicular access point from Guildford Road and an emergency vehicular access point from Wyke Lane;

Retention and enhancement of the onsite PROW;

A viewing corridor towards the Surrey Hill National Landscape;

New green corridors for biodiversity enhancement and informal recreation including on site Biodiversity Net Gain (“BNG”) for hedgerows and watercourses;

Public open green spaces with appropriate play facilities; and

Sustainable drainage system (“SuDS”) throughout.

Progression of the Application

5.7 The below provides a summary of the key milestones in the consideration of this application by GBC.

- 1 The application was validated on the 6 November 2025 with the determination period due to expire on 5 February 2026 (13-week period).
- 2 No extension of time to the determination period has been requested by GBC.
- 3 Air Quality Assessment, Parameter Plans, Section Plan and Illustrative Masterplan submitted by Appellant on 27 March 2026.
- 4 BNG Metric and Response to Thames Water comments submitted by Appellant on 31 March 2026.

- 5 Appeal submitted on the grounds of non-determination on 22 April 2026.

Planning benefits

5.8 The Appeal Scheme will deliver a range of planning benefits, including:

- 1 The provision of 50% market homes
- 2 The provision of 50% affordable housing
- 3 The provision of up to 10 self-build plots.
- 4 Utilising the onsite PROW to create a well-connected new development from which occupiers can reach the train station on foot in 8 minutes or cycle in only 3 minutes. Alternatively, walking or cycling to the train station via Guildford Road. The site is also a sustainable location with access to other public transport routes and facilities.
- 5 Meeting the Golden Rules, subject to an appropriate legal agreement.
- 6 Proposed improvements to sustainable travel infrastructure.
- 7 Economic benefits including over 120 construction jobs, forecasted £1.3m uplift in yearly local expenditure, and an uplift of £570,000 in council tax revenues.
- 8 Enhancements to both the Guildford Road / Wyke Lane and Guildford Road / Harpers Road junctions, subject to an appropriate legal agreement.
- 9 Introducing public views towards the Surrey Hill National Landscape.
- 10 A significant net gain in canopy cover across the Appeal Site.
- 11 Biodiversity net gain.
- 12 Surface improvements to existing PROW that runs across the Appeal Site, subject to an appropriate legal agreement or planning condition.
- 13 Improved opportunities for the public to view and appreciate retained trees.

6.0 Development Plan (Adopted and Emerging) and Supplementary Planning Guidance

The Statutory Development Plan

- 6.1 The Statutory Development Plan at the Appeal Site comprises:
- 1 Guildford Borough Local Plan: strategy and sites 2015 - 2034 (adopted 25 April 2019) (“the LPSS”);
 - 2 Guildford Borough Local Plan: Development Management Policies (adopted 22 March 2023) (“the LPDMP”); and
 - 3 Saved policy NRM6 of the Southeast Plan (adopted 6 May 2009) relates to the Thames Basin Heath Special Protection Area (“TBHSPA”).
- 6.2 The Appeal Site is subject to the following designations in the Statutory Development Plan:
- 1 Green belt;
 - 2 TBHSPA 0-400m ‘exclusion zone’, and 400m to 5km ‘zone of influence’; and
 - 3 Impact Risk Zone (‘IRZ’) of the Ash to Brookwood Heaths Site of Special Scientific Interest (“SSSI”).
- 6.3 The nearest recorded historical designations are ‘York House’ (list entry no. 1029635), a Grade II Listed building located approximately 40m to the west of the Appeal Site and ‘East Wyke Farm’ (list entry no. 137711), a Grade II Listed building located approximately 180m to the south of the Appeal Site.
- 6.4 There is a ‘Locally Listed Building’ (‘The Lion Brewery Public House’), located at the corner of Harper’s Lane and Guildford Road, approximately 150m to the west of the Appeal Site.
- 6.5 The Appeal Site contains a number of trees covered by the Tree Preservation Order (TPO) ref: 2017/8.
- 6.6 A list of the planning policies and supplementary planning documents relevant to the determination of the Application are set out below³.

Guildford Borough Local Plan: Spatial Strategy

- S1 Presumption in favour of sustainable development
- S2 Planning for the borough - our spatial development strategy
- H1 Homes for all
- H2 Affordable homes
- P2 Green belt
- P4 Flooding, flood risk and groundwater protection zones

³ Whilst the Committee Report refers to the following policies the parties agree they are not relevant to the appeal proposal: D17, D20, D21 and D22.

P5 Thames Basin Heaths Special Protection Area
E5 Rural economy
D1 Place shaping
D2 Climate change, sustainable design, construction and energy
D3 Historic environment
ID1 - Infrastructure and delivery
ID3 Sustainable transport for new developments
ID4 Green and blue infrastructure

Guildford Borough Local Plan: Development Management Policies

H7 First Homes
P6 Protecting Important Habitats and Species
P7 Biodiversity in New Developments
P8 Land Affected by Contamination
P9 Air quality and Air Quality Management Areas
P11 Sustainable surface water management
D4 Achieving high quality design and respecting local distinctiveness
D5 Protection of amenity and provision of amenity space
D6 External servicing features and stores
D7 Public realm
D11 Noise impacts
D12 Light impacts and dark skies
D14 Sustainable and low impact development
D15 Climate change adaptation
D16 Carbon emissions from buildings
D18 Designated heritage assets
D19 Listed buildings
D23 Non-designated heritage assets
ID6 Open space in new developments
ID9 Achieving a comprehensive Guildford Borough Cycle Network
ID10 Parking standards for new development

South East Plan

NRM6 - Thames Basin Heaths Special Protection Area

Supplementary Planning Documents (SPDs)

Climate Change, Sustainable Design, Construction and Energy SPD (October 2024, factually updated May 2025)

Green belt SPD (2023) This has been updated for the NPPF December 2023, but not the NPPF December 2024

TBHSPA Avoidance Strategy SPD (2017, factually updated 2021 and 2024)

Planning Contributions SPD (2017)

Residential Design Guide SPD (2004)

Guildford Landscape Character Assessment & Guidance (2007)

7.0 National Policy and Other Guidance

- 7.1 This section contains details of national policies and other material considerations relevant to this appeal.

National Planning Policy Framework

- 7.2 The National Planning Policy Framework (“NPPF”) (December 2024) sets out the government’s planning policies for England and how these are expected to be applied. In the context of Section 38(6) of the Planning and Compulsory Purchase Act 2004 it is a material planning consideration in decision-making.
- 7.3 Much of the NPPF is relevant to the appeal, and its extensive policies are not repeated here in full. Notwithstanding, we summarise the most relevant material below.
- 7.4 The NPPF paragraph 11 requires the application of a presumption in favour of sustainable development for decision taking, unless there are policy requirements in the NPPF that relate to protected areas or assets of particular importance (as referred to in Footnote 7) that provide a strong reason for refusal. These include ‘habitat sites’ (such as Special Protection Areas) and land designated as Green Belt. Footnote 7 is also referred to in the definition of grey belt in Annex 2 of the NPPF.
- 7.5 Paragraph 11 also states the presumption is overruled where the benefits would be significantly and demonstrable outweighed when assessed against the policies of the NPPF taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination. Footnote 9 identifies these policies by paragraph number, which includes paragraph 129 ‘Achieving appropriate densities’ and paragraph 135 ‘Achieving well-designed places’.
- 7.6 Footnote 8 of the NPPF confirms that for applications involving the provision of housing, policies are considered ‘out-of-date’ in situations where the Local Planning Authority cannot demonstrate a five-year supply of deliverable housing sites; or where the Housing Delivery Test (HDT) indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years. In these situations, this means that permission should be granted unless paragraph (d)(i) or (d)(ii) apply.
- 7.7 Paragraph 153 states that inappropriate development is, by definition, harmful to the green belt and should not be approved except in very special circumstances. Such circumstances will not exist unless the potential harm to the green belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
- 7.8 However, paragraph 155 states that the development of homes in the green belt should not be regarded as inappropriate including where the development would utilise grey belt land (as defined in Annex 2 of the NPPF) and would not fundamentally undermine the purposes of remaining green belt; there is a demonstrable unmet need for the type of proposed development; and where applicable, the proposed development meets the ‘Golden Rules’.
- 7.9 The Golden Rules are set out in paragraph 156, which states that where major development involving the provision of housing is proposed on land released from the green belt or on

sites in the green belt subject to planning application, the following contributions should be made: affordable housing which reflects paragraph 67 as above (50%); necessary improvements to local or national infrastructure; and provision of new, or improvements to existing, publicly-accessible green spaces that are accessible to the public. New residents should be able to access good quality green spaces within a short walk of their home, whether through onsite provision or through access to offsite spaces.

- 7.10 Paragraph 67 states that as part of the ‘Golden Rules’ for green belt development, the affordable housing requirement for major residential developments on land which is proposed to be released from the green belt or which may be permitted on land within the green belt, should be set at a higher level than that would otherwise apply to land not within these criteria and require at least 50% of the development to be affordable, unless making the development unviable.
- 7.11 Paragraph 158 iterates that a development compliant with the Golden Rules should be given significant weight in favour of the grant of permission.
- 7.12 Paragraph 126 states that LPAs and other decision-making bodies should take a proactive role in identifying and helping to bring forward land that may be suitable for meeting development needs.
- 7.13 Paragraph 215 notes that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 7.14 Summaries of other key policies within the NPPF can be found within the planning statement that accompanied the original application and contained within this appeal submission.

Planning Practice Guidance

- 7.15 Complementary to the NPPF, the Planning Practice Guidance (PPG) expands on some of the above NPPF policies, particularly in relation to green/grey belt.
- 7.16 Advice on the role of the green belt in the planning system was published on 27 February 2025, which includes information on proposals on grey belt land. It also provides clear guidance on what constitutes a ‘strong contribution’ to green belt purposes a, b and as per the NPPF paragraph 155.

Other considerations

- 7.17 The draft NPPF was published for consultation in December 2025 and it is anticipated that this will be published in final form in Autumn 2026. At this stage it is afforded very limited weight. Both parties will address the implications of the updated NPPF subject to the timing of publication.

8.0 Matters agreed between the parties (common ground)

8.1 Matters relating to the Development that the parties agree upon are:

Presumption in favour of sustainable development

8.2 For the purposes of this appeal, it is agreed that GBC cannot demonstrate a 5YHLS at 2.98 years.

8.3 Therefore the “tilted balance” within the NPPF (para 11d) is engaged for determination of planning applications at NPPF paragraph 11d) subject to the Councils position at 9.1 of the SOCG.

8.4 Policy S1 of the LPSS is engaged because relevant policies are out of date and GBC will grant permission unless material considerations indicate otherwise.

Green belt

8.5 Policy S2 of the LPSS is out of date.

8.6 The Appeal Scheme accords with parts (1) and (2) of Policy P2 because the NPPF states grey belt is a new exception to inappropriate development in the green belt.

8.7 The Appeal Site partly consisted previously developed land. The Committee Report (CD 4.01) page 48 states “For clarity, it is the view of the Local Planning Authority that the site does partly constitute previously developed land.”

8.8 The Appeal Site constitutes grey belt land and the Appeal Scheme conforms with the relevant criteria.

1 In line with the definition of grey belt at NPPF Annex 2: Glossary:

The Appeal Site does not make a strong contribution to green belt purposes a).

The Appeal Site does not make a strong contribution to green belt purposes b).

- i Specifically, the gap between Ash and Normandy is not a consideration here because Normandy is a village. The Committee Report (CD4.01) page 48 states “The gap between Ash and Normandy is not a material consideration in Green Belt terms as Normandy is a village.”

The Appeal Site does not make a strong contribution to green belt purposes d).

There are no footnote 7 constraints that would provide a strong reason for refusing or restricting development subject to an appropriate legal agreement addressing mitigation on the Thames Basin Heath SPA.

2 As per NPPF paragraph 155(a):

The Appeal Scheme would utilise grey belt land and would not fundamentally undermine the purposes of the remaining green belt across the area of the Local Plan.

- 3 As per NPPF paragraph 155(b), there is a demonstrable unmet need for the type of development proposed as GBC is unable to demonstrate a 5YHLS.
- 4 As per NPPF paragraph 155(c), the Appeal Site is in a sustainable location, with particular reference to paragraphs 110 and 115 of the NPPF.

Affordable housing

- 8.9 With reference to LPSS policy H2, the level of affordable housing proposed on the Appeal Scheme (50%) exceeds the local policy requirement of 40%, reflecting the Golden Rules requirement for Grey Belt development applicable in this case.
- 8.10 The West Surrey Strategic Housing Market Assessment: Guildford Addendum Report 2017 identifies an affordable housing need for Guildford Borough of 517 households per annum over the 19-year period from 2015 to 2034. The SHMA supported the adoption of Guildford's Local Plan Part 1 Strategy and Sites (LPP1) in 2019. The Examining Inspectors report considered the local plan's housing requirement at "Issue 1 Whether the Plan makes adequate provision for new housing" (para's 22-46) and affordable need specifically at paragraph 31. The Local Plan Inspector states at paragraph 31.
- "As regards affordable housing need, the 2017 SHMA Addendum identifies that this amounts to 517 dwellings per annum across the plan period. When set against the proposed affordable housing requirement of 40%, the Council would need to deliver almost 1,300 dwellings per annum to meet affordable housing need in its entirety. It would not be practicable to seek the delivery of 1,300 homes a year or appropriate to increase the uplift above the starting point beyond 79%, but it is further evidence of a pressing housing need and it lends strong support to the figure of 562 dpa rather than a lower requirement."
- 8.11 The Guildford Annual Monitoring Report 2024/25 only provides gross affordable housing completions. These annual gross completions are:
- 1 2015/16 – 125 dwellings
 - 2 2016/17 - 32 dwellings
 - 3 2017/18 - 111 dwellings
 - 4 2018/19 - 89 dwellings
 - 5 2019/20 - 62 dwellings
 - 6 2020/21 - 78 dwellings
 - 7 2021/22 - 110 dwellings
 - 8 2022/23 - 40 dwellings
 - 9 2023/24 - 121 dwellings
 - 10 2024/25 - 115 dwellings
- 8.12 Even using gross rather than net completion figures, this amounts to undersupply of affordable housing over the period 2015/16 to 2024/25 of 4,287 dwellings (when calculated against the SHMA's affordable housing need figure rather than the Council's adopted

affordable housing policy). The appellant considers there is no numerical affordable housing annual target set within the local plan.

- 8.13 Table No. TA1 of the Statutory homelessness: Detailed local authority-level tables (October to December 2025) dates April 20 2026 shows 109 households in temporary accommodation in Guildford LPA at end of quarter. Table TA7 shows the median and mean stays in each type of temporary accommodation:
- 1 B&B or shared annex – Median 48 days, Mean 43 days
 - 2 Hostel or refuge – Median 665 days, Mean 744 days
 - 3 LA/HA stock – Median 436 days, Mean 817 days
 - 4 Other nightly paid, privately managed accommodation, self-contained – Median 90 days, Mean 90 days
 - 5 Other/NK – Median 842 days, Mean 841 days
 - 6 Own arrangements – Median 204 days, Mean 142 days
 - 7 Private sector accommodation leased by your authority or leased or managed by a registered provider – Median 0 days, Mean 0 days
- 8.14 The Local Authority Housing Statistics data returns, England 2023-24 for Guildford LPA shows in Section C Allocation 2,266 households on the housing register (waiting list) with 1,860 in a reasonable preference category.

Highways

- 8.15 SCC confirms there would be no unacceptable impact on highway safety, or severe cumulative impacts on the road network after mitigation as per paragraph 116 of the NPPF.
- 8.16 SCC has expressly confirmed that it has no objection to the development, subject to the specified obligations and conditions.
- 8.17 Safe and suitable vehicular, emergency, pedestrian and cycle access can be provided.
- 8.18 The access junction is forecast to operate with substantial spare capacity and negligible queuing.
- 8.19 The development traffic increase is limited in scale and disperses across the local network.
- 8.20 A comprehensive and enforceable package of sustainable transport and highway mitigation is available:
- 1 Improvements to walking and cycling routes between the site, local facilities and Ash railway station, including Harpers Road, Guildford Road, Wyke Lane and the Public Rights of Way network.
 - 2 Improvements to the Nightingale Road and Wyke Lane bus stops, including real-time passenger information, accessible kerbing, bus cages, power and, where space permits, shelters and seating.
 - 3 Two electric car club vehicles and two dedicated fast-charging car club spaces, together with three years' free membership and £50 driving credit for each first-time household occupier.

- 4 A £100 cycle voucher for each dwelling.
- 5 An updated Travel Plan, supported by a £5,000 monitoring and audit contribution.

Thames Basin Heaths SPA (TBHSPA)

- 8.21 No residential development is proposed in the Appeal Scheme within the 0-400m 'exclusion zone' from the TBHSPA, SAC and SSSI. The whole of the proposed residential development within the Appeal Site is located within the 400m-5km Zone of Influence (ZOI) for the Thames Basin Heaths SPA. The draft S106 includes proposed mitigation for impacts on the TBHSPA.

Design and Parameter Plans

- 8.22 The application has been submitted in outline form with all matters reserved except access. The Appeal Scheme is supported by Parameter Plans, an Illustrative Masterplan and a Design and Access Statement, which establish the proposed development framework to be considered at this stage. Matters relating to the detailed appearance, landscaping, layout, scale (within the approved parameters) and other detailed design matters would be considered through subsequent Reserved Matters applications, should outline planning permission be granted.

Landscape

- 8.23 The Appellants' Landscape and Visual Impact Assessment, prepared by Leyton Place Limited, is based on, and is in accordance with, the guidance contained in 'Guidelines for Landscape and Visual Impact Assessment', 2013 published by the Landscape Institute and IEMA.
- 8.24 The viewpoints included in the LVIA (Appendix 3) (CD1.04) are agreed as being representative of the visual receptors and the visual environment associated with the Appeal Site.
- 8.25 The baseline photography has been prepared in compliance with LI TGN 06/19: 'Visual Representation of Development Proposals'.
- 8.26 The parties agree the effects on the landscape and visual receptors are as set out in the submitted LVIA.

Heritage

- 8.27 There are minor visual changes to the wider rural setting of York House (Grade II listed) and East Wyke Farm Cottages (Grade II Listed) as a result of the proposed development.
- 8.28 This less than substantial harm is considered to be at the low end of the spectrum.
- 8.29 The heritage balance at paragraph 215 of the NPPF finds that the public benefits of the appeal scheme are more than sufficient to outweigh the identified harm to the significance of the designated heritage assets.

Archaeology

- 8.30

- 8.31 A desk-based archaeological assessment has been undertaken which indicates that the site has low archaeological potential; in relation to all periods, except for remains associated with buildings mapped on the Roque's 1768 map. The date and significance of these buildings is difficult to establish, but it is conceivable that they may have had Medieval origins.
- 8.32 An appropriate planning condition would be imposed to secure further investigation.

Agricultural Land Classification

- 8.33 According to Natural England's Provisional Agricultural Land Classification ('ALC') Map, the majority of the Appeal Site is located in the 'Urban' category and the southern area of the Site is located within Grade 4 (Poor) classification.

Residential Amenity

- 8.34 The Planning Committee Report (CD4.01) states at page 56: "Overall, the proposals, subject to consideration of the Reserved Matters, the proposals would have no material impact on neighbouring amenity that would substantiate a reason for refusal on matters of principle."

Flood Risk

- 8.35 Surrey County Council, in their role as Lead Local Flood Authority, has confirmed that the proposed SuDS strategy is acceptable and raises no objection to the proposal subject to the conditions to secure the final design and implementation of the scheme.

9.0 Matters not agreed between the parties

- 9.1 The guidance provided by the Planning Inspectorate on preparing a Statement of Common Ground sets out that it would be helpful to identify matters that are subject of specific disagreement in the form of a table.

Table 9.1 Matters in dispute

Issue	Council Position	Appellant Position
Whether the appeal proposal will provide the necessary mitigation as outlined in PRFR3	The Council wish to reserve their position on this matter until an appropriate legal agreement has been provided	The necessary mitigation sought within PRFR3 will be provided through an appropriate legal agreement.
Whether through lack of an acceptable legal agreement NPPF paragraph 11d) (i) mean there is a strong reason for refusal relating to impact on the Thames Basin Heath SPA.	If such a legal agreement is not completed the Council wish to reserve their position on the 'tilted balance'.	An appropriate legal agreement can be agreed such that NPPF 11d) i) is not engaged in relation to the Thames Basin Heath SPA.
Whether LPSS Policy P2 is out of date.	The Council do not agree LPSS Policy P2 is out of date because under criteria c) it defers to the NPPF.	LPSS Policy P2 concerns the green belt. The broad thrust of the policy is in line with the national policy because it defers to the NPPF. However, it is out of date because it does not reflect paragraph 155 of the NPPF (December 2024). Notwithstanding this, the proposed scheme accords with both parts (1) and (2) of Policy P2 because the NPPF states grey belt is a new exception to inappropriate development in the green belt. Whether the Policy is considered out of date or not, the Appellant considers the Appeal Scheme complies with this policy.
Whether the Appeal Scheme satisfies all of the requirements of paragraph 155 (d) of the NPPF	The Council considers the proposal fails to satisfy paragraph 155(d) as the scheme does not meet paragraph 156(b) and therefore is considered to be inappropriate development providing a strong reason for refusal. This matter would be	The Appeal Scheme satisfies each limb of paragraph 155 and should not be regarded as inappropriate development with para 155 (d) (including Para 156(b) satisfied by an appropriate S106 agreement

Issue	Council Position	Appellant Position
	resolved by the progression of an appropriate S106 agreement.	
Whether the proposal satisfies the Golden Rules.	The Council considers in the absence of an appropriate S106 agreement it has not yet been demonstrated that all Golden Rule requirements are satisfied.	The proposal provides 50% affordable housing, infrastructure improvements and publicly accessible green space all of which will be secured through an appropriate legal agreement and therefore satisfies the golden rules.
Ecology and Biodiversity	The Council considers insufficient ecological information and BNG evidence has been provided to demonstrate compliance with policy.	Outstanding ecology matters are capable of resolution through further information, planning conditions and an appropriate Section 106 Agreement. The note and BNG spreadsheet are fully cognisant of the LNR.
Planning Obligations / Section 106	The Council considers that required mitigation has not yet been secured.	The necessary obligations identified in PRFR3 will be secured through an appropriate Section 106 Agreement.
Whether the submitted Parameter Plans provide sufficient certainty	The Council considers the Parameter Plans and supporting design information lack sufficient detail including on layout, density, built form, relationship with Wyke Lane, landscape structure and the quality of place, required at the outline stage, to demonstrate a high-quality, well-designed and policy compliant form of development.	The submitted Parameter Plans and supporting design information are an appropriate design framework for an outline application and demonstrate that an acceptable form of development can be delivered through Reserved Matters.
Whether the proposal would deliver a well-designed place	The Council considers the scale, density, layout and relationship with the surrounding area would fail to deliver a well-designed place.	The proposal complies with local and national design policy and any remaining detailed matters can be addressed at Reserved Matters stage.
Effects on the landscape and visual receptors.	The Council's landscape concerns are related to the layout, scale and density of the proposed housing. The	The adverse landscape and visual effects are limited and entirely localised to the Appeal Site and its

Issue	Council Position	Appellant Position
	effects on the landscape and visual receptors are as set out in the submitted LVIA.	immediate boundary, consistent with any greenfield site. Furthermore, the proposals bring forward substantive GI benefits.
Overall Planning Balance	The adverse impacts significantly and demonstrably outweigh the benefits and planning permission should be refused.	The benefits significantly outweigh any adverse impacts and planning permission should be granted under paragraph 11(d).

This Statement of Common/Uncommon Ground has been agreed by:

Guildford Borough Council

Signed:  (on behalf of Guildford Borough Council)

Name: Ian Johnson

Date: 31 July 2026

Gleeson Land Limited

Signed: 

Name: Daniel Lampard (on behalf of the appellant Gleeson Land Limited)

Date: 31 July 2026