



6008529 – Shortland Farm, Guildford Road, Ash, Surrey GU12 6DF

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

CASE MANAGEMENT CONFERENCE SUMMARY NOTE

Introduction

1. This note summarises the Case Management Conference (CMC) held on Monday 6 July 2026.
2. I led the CMC as the appointed Inspector with Mr Henderson and Mr Barber acting as lead spokespersons.
3. The purpose of the CMC was to set out matters relating to the ongoing management of the appeal and the presentation of evidence.
4. There was no discussion on the merits of the proposal.
5. It is requested that this note, and the pre-conference note, are placed on the Council's website and listed as Core Documents. This is so they are available for interested parties to see.

Sitting Dates and Location

6. The Inquiry is scheduled to open at 10:00 on Tuesday 15 September 2026.
7. It will generally resume on subsequent days at 09:30.
8. I will aim to adjourn each day before 17:30.
9. The advocates will let me know if a later start or earlier finish would be helpful on any given day.
10. I may finish a little earlier on Fridays so as not to impinge on weekends.
11. The Inquiry will be an in-person event held at the Council Offices at Millmead House, Guildford.
12. The event is currently programmed to sit for 8 days (15-18 and 22-25 September).
13. It was agreed that this should be adequate.
14. That said, to allow some flexibility and a gap between evidence and closings, the 28 September can be explored as a virtual day to deliver closings and perhaps discuss conditions. I would be grateful if the parties could confirm this as soon as possible. The Council would need to plan to host the virtual days.

Likely Main Issues

15. As things currently stand, the main issues in this appeal were agreed as follows:

- a. *The effect of the proposed development on the Thames Basin Heaths Special Protection Area, the Thursley, Ash, Pirbright and Cobham Special Area of Conservation and the Ash to Brookwood Heaths Site of Special Scientific Interest;*
- b. *Whether the proposal would make adequate provision for infrastructure, green spaces and affordable housing;*
- c. *Following on from Main Issues a) and b), whether the proposal would be inappropriate development in the Green Belt with particular reference to Paragraph 155(a)¹ and (d) of the Framework;*
- d. *If the proposal would be inappropriate development in the Green Belt, the effect on the openness and purposes of the Green Belt;*
- e. *The effect of the proposed development on protected species with particular reference to birds, bats and great crested newts;*
- f. *Whether adequate information has been submitted to establish an appropriate baseline for assessing biodiversity net gain;*
- g. *The effect of the proposed development on the character and appearance of the area including whether the proposal would be a well-designed place;*
- h. *Planning Balance:*
 - *Other considerations - The benefits of the scheme*
 - *If the proposal would be inappropriate development, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify it.*
 - *Compliance with the development plan;*
 - *Paragraph 11i) and ii) of the National Planning Policy Framework; and*
 - *Overall Section 38(6)² balance*

16. The parties will review their positions regarding the effect of the proposal on the significance of listed buildings. If there is agreement as to whether there would be harm, and the level of that harm, then this would be a matter that would need to be addressed as part of Main Issue H. If there is disagreement as to the effect, then further evidence may be necessary.

17. It is essential that the Council and the appellant continue to effectively communicate with one another to seek to narrow the issues for consideration at the Inquiry.

¹ I understand that the Council does not consider the appeal site contributes strongly to purposes a), b) or d) of the Green Belt. However, it has suggested the proposal would have an adverse effect on the integrity of relevant nature sites and therefore I would like to explore whether this would provide a 'strong reason for refusal' as per the Green Belt definition as it currently stands.

² Of the Planning and Compulsory Purchase Act 2004

18. I understand further discussions will take place pertaining to MIs (a), (b), (c), (d) and (e) in an attempt to narrow points in dispute and/or address them through a planning obligation.

Dealing with the Evidence and Witnesses

19. I can confirm at this stage that the main issues will be addressed through the formal presentation of cases with opportunities for cross and re-examination.
20. A round table session will take place to discuss any planning obligation and planning conditions.
21. The parties will provide a list of the witnesses.
22. As things currently stand, the appellant intends to call four witnesses (landscape, design, ecology and planning).
23. The appellant also indicated an intention to call experts to take part in the planning obligation round table session.
24. The appellant reserves their position regarding a witness on five-year housing land supply. That said, the parties seemed confident that common ground could be reached on this matter and therefore it is unlikely evidence will need to be heard.
25. The Council intend to call two witnesses. One will address biodiversity and the other design and planning matters.
26. It would also be open for the parties to address any points raised by interested parties when formally presenting their cases.

Running Order

27. The Inquiry will begin with my opening comments.
28. I will then invite opening statements from the advocates to set the scene (up to 15 minutes if possible). The appellant followed by the Council.
29. I will then hear from interested parties.
30. Advocates can ask questions of interested parties that disagree with their case, but you may wish to address their concerns when presenting your cases. Any questioning should be proportionate.
31. I will then hear the formal evidence on a thematic basis. The Council first followed by the appellant.
32. Landscape and design evidence will be heard first due to the availability of the witnesses. It will then be biodiversity and finally planning
33. Each witness will be taken through their evidence by their advocate (evidence in chief). After this, there will be a chance for the opposing advocate to ask questions (cross examination) and there may also be questions from interested parties taking an opposing view and myself. The witness will then be asked questions by their own advocate again (re-examination)
34. To make efficient use of inquiry time, some witnesses may need to present their evidence either side of adjournments (breaks, lunch and overnight). They should insulate themselves from their teams during adjournments.
35. Once the cases have been presented, I will lead a round table session on conditions and any planning obligation.
36. There will then be an opportunity for closing submissions. The Council first, then the appellant.

37. The closings should ideally be no longer than an hour, should simply set out the respective cases as they stand at the end of the Inquiry and should be fully cross referenced.
38. It would be very helpful if closings can be provided in writing and structured around the main issues.
39. There will also be an opportunity to make any applications for costs at the end of the Inquiry.
40. I will endeavour to circulate a draft timetable setting out the running order before the Inquiry opens. I will do this once I have final time estimates from the advocates.
41. The advocates are expected to take no longer than the timings indicated. I appreciate that this will require the cooperation of both advocate and witness.

Conditions

42. An agreed schedule of suggested planning conditions, and the reasons for them, must be submitted at the same time as the proofs if not before.
43. Ideally, they will be included in the Statement of Common Ground (SOCG) and presented in a Microsoft Word document.
44. The Council should take the lead on preparing the list, in discussion with the appellant.
45. The parties will need to pay careful attention to the wording, and the conditions will need to be properly justified having regard to the tests for conditions in the National Planning Policy Framework.
46. Any difference of opinion relating to the suggested conditions, including alternative wording, should be highlighted in the schedule with a brief explanation given.

Costs

47. No party indicated an intention to make an application for an award of costs.
48. The Planning Practice Guide is clear that it is good practice to submit applications in writing before the Inquiry opens.
49. It would be helpful if any cost applications are made in sufficient time to enable the other party to respond in writing before the Inquiry opens.
50. There will be an opportunity to supplement or make cost applications during the event.
51. In addition, I have the power to initiate an award of costs.

Planning Obligation

52. The Council will provide a 'Justification Statement' for each of the obligations it is seeking, ideally in the form of a table.
53. This should explain why each of the obligations being sought is necessary, directly related to the development and fairly and reasonably related in scale and kind to the development.
54. This could be appended to the SOCG if agreed.
55. It would be helpful if I am presented with an early draft of the planning obligation as soon as possible but not later than 10 days before the inquiry is due to open.
56. I will subsequently need to be provided with a certified copy of the final draft.
57. A short time will be allowed after the Inquiry for the submission of a signed and executed version. At this stage, I am anticipating this being 1-2 weeks.

Content of the Statement of Common Ground (SOCG)

58. It was agreed that the SOCG will include the following:
- A list of the drawings and documents considered by the Council at the application stage;
 - A list of any new drawings and documents submitted with the appeal;
 - A list of suggested planning conditions;
 - A list of the main matters agreed and not agree; and
 - A commentary on the main concerns of interested parties and consultees.

Proofs

59. The case for the appellant and Council should already have been set out in full in their statements of case, which should also have included all documents and evidence they will be referring to.
60. Consequently, the main purpose of proofs of evidence is to allow the witnesses a chance to marshal previously provided evidence and give their opinions on the evidence of the other parties.
61. As a result, new evidence should not be provided with the proofs.
62. I will need hard copies of all the proofs (including appendices). Please send them to the Case Officer when submitting the proofs electronically and they will forward them on to me.

Core and Inquiry Documents

63. The parties will need to discuss and agree a list of core documents in advance of finalising the proofs. This is so they can be properly referenced in the proofs.
64. That list is to be co-ordinated by the appellant.
65. Please find attached at Annex 1 a template for the list.
66. The Core Documents should comprise only those documents/extracts to which you will be referring to in the proofs.
67. Only relevant development plan policies should be included.
68. Any Appeal Decisions and/or legal authorities that are included will each need to be prefaced with a note explaining the relevance of the document to the issues arising in the Inquiry, together with the propositions on which you are seeking to rely, with the relevant paragraphs flagged up.
69. The Council will have a launch page on its website to the CD list prepared by the appellant. All parties and I will access them this way.
70. On this basis, there will be no need for hard copies to be printed.
71. Any documents submitted once the Inquiry has opened will be recorded as an 'Inquiry Document' on a separate list overseen by me.
72. The appellant and Council will need to keep the online document list up to date with any inquiry documents.
73. A minimum of two copies of any new documents produced at the Inquiry will be required, one for the other main party and one for me. Extra copies may also be necessary to circulate around interested parties.

Late Evidence and Rebuttals

74. Unless I have specifically requested it, then evidence submitted outside of the inquiry timetable is 'late evidence'.

75. There is a risk that I may not accept late evidence if it would upset the timetable and/or require a postponement of the inquiry.
76. I may accept late evidence aimed at narrowing a point in dispute. I would view other late evidence cautiously.
77. The appellant confirmed that they may be submitting some additional evidence in relation to biodiversity. This being a technical note relating to bat surveys recently undertaken.
78. If this evidence is submitted by the 4 August, then I will not treat it as being late.
79. Otherwise, there was no indication that late evidence will be submitted.
80. Rebuttals are discouraged although they may be useful in some narrow circumstances as outlined at Paragraph 11.13.2 of the Procedural Guide: Planning Appeals.

Timetable for submission of documents

81. The timetable for additional documents is as follows;

31 July 2026	Signed Statement of Common Ground (appellant to lead) Provisional schedule of appearances – name, qualifications (if relevant), how they would like to be addressed at the Inquiry (Ms, Miss, Mrs, Dr, Mr etc...) and job title/organisation. Confirmation whether the additional submissions referred to at Paragraph 1.4 of the Council's Statement of Case were subject to public consultation
4 August 2026	Appellant's technical note relating to bat surveys Core Documents List (appellant to lead).
18 August 2026	Preliminary suggested route for my site visit (from appellant and Council) and confirmation as to whether the parties are content for me to visit on an access required basis Suggested conditions (Council to lead) Proofs of Evidence (all witnesses) Justification statement for planning obligations (Council to provide) Early draft of any planning obligation
25 August 2026	Any rebuttals
28 August 2026	Copy of the Inquiry notification letter and list of those notified (to be supplied by the Council)

	Final time estimates (from advocates) and confirmation as to who instructed them Final draft of the planning obligation
15 September 2026	Inquiry opens

Housekeeping

82. The Council confirmed the following arrangements
- A. The venue will be at the Council Offices in Guildford (in the Council Chamber).
 - B. There will be facilities available for interested parties to observe virtually.
 - C. The Council will confirm if documents and material can be left over night and if any evening meetings are planned.
 - D. There will be an audio system and hearing loops.
 - E. There will be photocopying facilities.
 - F. Interested parties wishing to read out pre prepared statements will be assisted in photocopying their documents so they can be distributed to the advocates and myself.
 - G. A member of staff from the Council will be on hand to assist interested parties e.g. with hearing loops, photocopying, Wi-Fi etc...
 - H. There will be Wi-fi.
 - I. A parking space will be reserved for me for each day. I will be using a hire car so will not be able to give a number plate in advance.
 - J. A member of staff will be on hand to meet me at around 9am on the first day of the Inquiry to address any questions I have about arrangements/room layout³.
 - K. There will be a breakout room for me and a separate one for the appellant's team.

Other Matters

83. The advocates were confirmed as Mr Zack Simmons KC for the appellant and Mr Jack Barber for the Council.
84. There will be no general attendance list circulated at the Inquiry. However, I will ask those appearing/speaking to fill in an attendance form if I do not already have their details.
85. At this stage, I am minded to visit the site on an 'Access Required' basis. This is where I visit the site alone and the appellant permits access. I will keep this under review, and the logistics will be discussed at the Inquiry. I would be

³ Please refer to these documents for further guidance on the room layout
- <https://www.gov.uk/government/publications/setting-up-a-venue-for-a-public-inquiry-hearing-or-examination/public-inquiries-hearings-and-examinations-venue-and-facilities-requirements>
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/989247/Suggested_layout_of_a_room.JPG

grateful if the parties could provide a route/itinerary of what they would like me to view.

86. We discussed the potential of the National Planning Policy Framework being published before I issue my decision. I will contact the parties if this were to occur.
87. The parties will confirm whether the additional submissions referred to at Paragraph 1.4 of the Council's Statement of Case were subject to public consultation.
88. For information, I will be on annual leave at points in July (15-24) and August (17-28) and will be unavailable to respond to any queries.
89. I will consult Natural England this week and circulate any response received.
90. I may need to undertake an appropriate assessment. As such, can the following documents be included as Core Documents please
 - The qualifying features of the habitat site(s)
 - The conservation objectives of the habitat site(s)
 - Any evidence of any likely significant effects and the pathways of those effects to the site
 - Any relevant development plan policies and/or supplementary planning documents
 - Any relevant local strategies

I thank you for your assistance and cooperation. Please do not hesitate to contact me, through the Case Officer, if you require any further clarification regarding the matters covered in this note.

Graham Chamberlain, INSPECTOR

6 July 2026

ANNEX A – EXAMPLE TEMPLATE FOR CORE DOCUMENTS LIST

(adapt headings to suit)

CD1 Application Documents and Plans

1.1

1.2 etc

CD2 Additional/Amended Reports and/or Plans submitted after validation

2.1

2.2

CD3 Committee Report and Decision Notice

3.1 Officer's Report and minute of committee meeting

3.2 Decision Notice

CD4 The Development Plan

4.1

4.2

CD5 Emerging Development Plan

5.1

5.2

CD6 Relevant Appeal Decisions*

6.1

6.2

CD7 Relevant Judgements*

7.1

7.2

CD8 Main Issue A

8.1

8.2

Any Appeal Decisions on which a party intends to rely must each be prefaced with a note explaining the relevance of the Decision to the issues arising in the current Inquiry case, together with the propositions relied on, with the relevant paragraphs flagged up. A similar approach is to be taken in relation to any legal citations relied upon.