



Appeal Decision

Site visit made on 21 September 2022

by Benjamin Clarke BA (Hons.) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 October 2022

Appeal Ref: APP/Y3615/W/21/3279752

Former Wisley Airfield, Hatch Lane, Ockham, GU23 6NU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission
 - The appeal is made by Taylor Wimpey UK Limited against Guildford Borough Council.
 - The application Ref 20/P/01708, is dated 2 October 2020.
 - The development proposed is a detailed application for roundabout and stub road.
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Decision

1. The appeal is allowed, and planning permission is granted for a detailed application for roundabout and stub road at Former Wisley Airfield, Ockham, GU23 6NU in accordance with the terms of the application, Ref 20/P/01708, dated 2 October 2020, subject to the attached schedule of conditions.

Main Issues

2. The main issues relevant to this appeal are:
 - the effect of the development upon the character and appearance of the surrounding area;
 - the effects of the development upon the living conditions of the occupiers of neighbouring properties, with particular reference to noise; and
 - the effects of the development upon biodiversity.

Reasons

Character and appearance

3. The appeal site consists of a disused airfield surrounded by extensive amounts of mature landscaping. The former airfield site includes large areas of hard standing and disused runways, particularly due to their length. However, other areas in the vicinity of the former airfield site are overgrown. The wider area includes several roads and dwellings. Therefore, the appeal site and the surrounding area is predominantly rural in character, interspersed with built developments.
4. The appeal proposal includes the provision of an additional road junction incorporating a roundabout, as well as the provision of a new access road. It is noted that this would not lead to an existing or proposed development or use. However, the appellant has indicated that an application for planning permission to redevelop the former airfield site will be submitted in time.

5. In addition, the proposed development would have a limited height when viewed from the surrounding area there are a significant number of trees nearby, which would also obscure views of the proposal throughout the year. Although these trees fall outside of the appeal site, they are sufficiently great in number that the screening effect would not be diminished even if some were to be removed.
6. The discrete presence of the proposal would also be aided by the topography of the appeal site and the surrounding area. Thus, the extent of tree coverage, the topography and low profile of the development means it would not be a harmfully prominent addition to the vicinity.
7. The proposal would result in the removal of a short line of mature trees. These would not provide any of the previously described screening. These trees have a noticeable height and the evidence before me indicates that the life of these trees has not been foreshortened by any external factors. However, given these trees by reason of their position do not make a significant contribution to the overall character of the surrounding area, their removal would not lead to an erosion of the area's character.
8. Given this position, the proposed development would not amount to harm as by different mechanisms the same effect could be achieved. Furthermore, some biodiversity improvements would result in replacement planting. Whilst this may take some time to become established, it would mean that for a substantial period of the development's life, there would be some planting nearby. This could be secured via a planning condition.
9. The proposed development would result in an increase in the level of built form in the vicinity of the appeal site. However, the surroundings are of a developed nature. This, as mentioned, includes various and extensive areas of hard standing related to the airfield's former use. Therefore, within this context, the creation of further areas of hardstanding in the form of an access road at the extent proposed would not appear incongruous.
10. I therefore conclude that the proposed development would not have an adverse effect upon the character and appearance of the surrounding area. The proposed development, in this regard, would comply with the requirements of Policy D1 of the Guildford Borough Local Plan: Strategy and Sites (2019) (the Local Plan Strategy); and Policy LNPWN1B of the Lovelace Neighbourhood Plan (2021). Amongst other matters, these seek to ensure that developments should respond to the distinctive local character; and be designed to respect the existing landscape character

Living conditions

11. The appeal site is currently in a disused condition. However, relatively close to the appeal site are several dwellings. These are arranged in an ad hoc pattern close to the appeal site's boundaries.
12. By reason of this proximity, it is likely that any construction works would be audible within the surrounding properties, including their gardens. This is likely to include activities such as the installation of ground works, in addition to the operation of plant and machinery.
13. However, any such noise is likely to be limited to the time periods in which construction works are taking place. In result, it is apparent that any such

noise would likely take place for a temporary period of time. Therefore, the construction works would not result in permanent harm to the overall living conditions of neighbouring occupiers.

14. The proposed construction process is likely to be facilitated by the movement of several larger vehicles. However, any such activity would be against the backdrop of other activities in the surrounding area. Primarily, this includes the nearby, and busy, A3 road. In result, the proposed development process would not be unduly prominent. This would mean that the movement of vehicles associated with the construction process would not erode the living conditions of the occupiers of neighbouring properties.
15. Notwithstanding this, the proposed construction works has the potential to affect living conditions during the temporary period in which building works take place. However, this could be mitigated to an acceptable level through the imposition of a condition requiring the submission an of a construction environment management plan.
16. Amongst other matters, such a plan would include details regarding the time scales in which construction works could take place and also prevent work from taking place on days and at times when residents might reasonably expect a greater amount of peace and quiet. This would likely include Sundays and evenings.
17. Such a condition would be enforceable by the Council if needs require. This therefore provides certainty that the development would not cause harm to the living conditions of the neighbouring occupiers.
18. In result, although construction works would be audible, it would not result in a harmful erosion of the living conditions for the occupiers of nearby dwellings. The development, in this regard, would comply with Policy G1(3) of the Guildford Borough Local Plan (2003). Amongst other matters, this seeks to ensure that the amenities enjoyed by occupants of buildings are protected from unneighbourly development.

Biodiversity

19. The proposed development would result in an overall increase in the level of built form owing to the replacement of green areas with hard standing. However, the evidence before me indicates that the position of the proposed development would replace ruderal scrub as established in the submitted appeal documentation, and disused hard standing.
20. However, it is likely that, on the basis of the appeal documentation, the scrubland and hard standing would not by reason of their type, provide a valuable habitat for protected species to live or use. This is the case even though the wider area supports several items of wildlife. Therefore, the proposed development would not result in an adverse effect upon the foraging environment for wildlife.
21. Furthermore, I can impose a condition that would require the provision of biodiversity enhancements within the area controlled by the appellant. This has been demonstrated to be an appropriate course of action by the assessments submitted by the appellant. This would ensure that new items would be provided, and a mechanism would be in place to allow the Council to approve details regarding the health and species of any new landscaping. In addition,

- other conditions could ensure the provision of matters such as tree protection measures.
22. In addition, any imposed condition would also have a maintenance element. this would mean that the provision of this new landscaping could be secured for a notable period of time. Given that any planting could be tailored in order to provide a habitat or foraging environment for species, the development taken as a whole would not result in an adverse effect upon biodiversity.
23. I understand that the current condition of the appeal site in biodiversity terms has, in part, been created due to its management regime. The imposition of a condition requiring the agreement of biodiversity improvements would also allow for the securing of enforceable improved management arrangements.
24. My attention has been drawn to a Development Consent Order (a DCO), which includes a significant proportion of the appeal site. On my site visit, I was able to view that works to implement the DCO had commenced. I have no reason to believe that the works permitted by the DCO will not be implemented in their entirety. In result, I must give this potential outcome a significant amount of weight in my considerations.
25. Therefore, in the event of this appeal being unsuccessful, there is a notable likelihood that a large proportion of the appeal site would be redeveloped. Although the appeal proposal exceeds the site area covered by the DCO, the degree of difference is of a relatively small amount. Therefore, the proposed development would not result in a significant increase in the loss of the natural environment.
26. However, even if the DCO works do not proceeded to completion, the securing of mitigation through conditions would prevent any adverse effect on biodiversity from occurring.
27. The appeal site is also outside of the Ockham and Wisley Commons Site of Special Scientific Interest, which is a component site within the wider Thames Basin Heaths Special Protection Area (the SPA) network of protected heathland sites. The sites are important features at international and national levels. However, given the nature, and scale of the proposed development, the appeal scheme would not cause harm to these features.
28. The evidence before me in the form of surveys submitted by the appellants, as well as representations received by the Council as the planning application stage also indicates that the proposed development would not have an adverse effect upon the SPA, owing to the nature of the development and its location. I have no reason to disagree, particularly as the development would not result in a greater amount of usage or activity within the SPA.
29. I therefore conclude that the proposed development would not have an adverse effect on biodiversity and ecology. The development, in this regard, would comply with the requirements of Policy ID4 of the Local Plan Strategy. Amongst other matters, this seeks to ensure that biodiversity is maintained, conserved or enhanced; and new development should aim to deliver gains in biodiversity, where appropriate.

Other Matters

30. It has been suggested that the appeal scheme is premature in its proposal. However, given that I have not identified any harm arising from the construction process, the timing of the development does not outweigh my findings in respect of the main issues.
31. Concerns have been raised that, at the point where the proposed road comes into use, amendments might need to be made to its design and layout. Whilst this may be the case, I have found that the proposed development would not lead to an adverse effect upon the character and appearance of the surrounding area, biodiversity and the living conditions of the occupiers of neighbouring dwellings.
32. Therefore, in the absence of any notable adverse effects, these concerns do not outweigh my findings in respect of the main issues.

Conditions

33. In addition to a standard implementation condition, conditions specifying the approved plans are necessary in the interests of precision. In order to secure a satisfactory standard of development, conditions requiring the agreement of further design details are necessary.
34. In order to ensure that the development does not impinge upon the living conditions of the occupiers of neighbouring properties, it is necessary to impose conditions requiring the submission of Construction Environment Management Plans and Transport Management Plans. However, I have amended the wording suggested by the Council to avoid duplication and remove items that are outside of the control of the appellant, such as third party vehicle movements and potential repairs to the existing road network.
35. Conditions in respect of contamination, unexpected contamination, lighting, drainage, ecology, biodiversity and trees are necessary to maintain the environment. However, I have omitted one condition suggested by the Council in respect of the monitoring of tree protection measures. This is because the condition regarding the agreement of tree protection measures includes a retention clause. Given the importance of understanding the historic environment, a condition regarding the investigation of archaeology is also necessary.
36. It has been suggested that a condition be applied that would require the proposed development to be implemented in conjunction with the works covered by the DCO. However, given that I have found that the proposed development would not have an adverse effect on the character and appearance of the surrounding area; living conditions; and biodiversity, such a condition is not necessary.

Conclusion

37. For the preceding reasons, I conclude that the appeal should be allowed and planning permission granted.

Benjamin Clarke

INSPECTOR

Schedule of Conditions

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: Stub Road Location Plan ref.1350-2-153 and Stub Road Red Line plan- Elm Lane One Way-Southern Roundabout ref. 1350-2-152 Rev D and Wider Site Location Plan ref. 1350-2-186 Rev A.
3. The development hereby permitted is solely limited to the area shaded purple in plan ref. POTENTIAL ROUNDABOUT ACCESS ON THE PROPOSED WISLEY LANE DIVERSION 0934-SK-079 Rev A.
4. The proposed roundabout and stub road access shall not be commenced unless and until a scheme has been submitted to and approved in writing by the Local Planning Authority to provide the following details:
 - earthworks
 - drainage
 - service diversions
 - signs and road markings
 - street lighting and;
 - other street furniture including vehicle restraint barriers as necessary.

Development shall be carried out in accordance with the approved details, be fully implemented prior to the first use of the development hereby permitted and shall be retained thereafter.

5. Prior to the commencement of development, a Construction Transport Management Plan, to include details of:
 - a) parking for vehicles of construction site personnel, construction site operatives and construction site visitors;
 - b) loading and unloading of plant and materials for the construction of the development;
 - c) storage of plant and materials for the construction of the development;
 - d) programme of construction works (including measures for construction traffic management);
 - e) HGV deliveries for construction and hours of construction operation;
 - f) measures to prevent the deposit of materials on the highway;
 - i) on-site turning for construction vehicles;
 - j) safeguarding Bridleway users, particularly where they enter the airfield onto Public Bridleway 544 Wisley

shall be submitted to and approved in writing by the Local Planning Authority. The construction of the development shall be carried out in accordance with the approved Construction Transport Management Plan.

6. No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the Local Planning Authority. This should include further investigation regarding the significance of the historic Wisley and Ockham

Parish Boundary. Development shall then take place in accordance with the approved Written Scheme of Investigation.

7. Prior to the commencement of development, full details of the design of a surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:
 - a) Evidence that the proposed final solution will effectively manage the 1 in 30 & 1 in 100 (+40% allowance for climate change) storm events, during all stages of the development. If infiltration is deemed unfeasible, associated discharge rates and storage volumes shall be provided using a maximum discharge rate to be agreed.
 - b) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.).
 - c) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected.
 - d) Details of drainage management responsibilities and maintenance regimes for the drainage system.
 - e) Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.
8. Prior to the first use of the development hereby approved, a verification report shall be submitted to and, approved in writing, by the Local Planning Authority. This must demonstrate that the drainage system has been constructed as per the agreed scheme, provide the details of any management company and state the National Grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls).
9. The development shall be carried out in full accordance with Section 4 and 6 of the submitted Ecological Impact Assessment prepared by EPR October 2020.
10. The development shall be carried out in full accordance with the Ecological Working Method Statement as set out in Appendix 4 of the submitted Ecological Impact Assessment prepared by EPR October 2020. Prior to first use, a post completion ecology report shall be submitted to, and agreed in writing by the Local Planning Authority.
11. The development hereby approved shall implement the Biodiversity Net Gain measures as detailed within Appendix 5 and map A5.1 of the submitted Ecological Impact Assessment prepared by EPR October 2020. All planting and seeding required as part of these measures shall be carried out in the first planting and seeding season following the completion of the development, or prior to the first use of the development, whichever is the sooner.

12. The proposed offsite habitat creation as detailed on map A5.1 as set out in Appendix 5 of the submitted Ecological Impact Assessment prepared by EPR October 2020 shall include management for citation species, due to the loss of 0.53% of Wisley Airfield SNCI. Prior to the creation of this habitat, a report detailing this management will be submitted to, and agreed in writing, by the Local Planning Authority. The habitat will then be managed in accordance with the approved report.
13. Prior to the first use of the development hereby permitted, a lighting strategy to ensure that there will no adverse impacts to roosting and foraging bats within the area shall be submitted to, and approved in writing, by the Local Planning Authority. The strategy shall include a timetable for implementation. Development shall be carried out in accordance with the approved details and retained thereafter.
14. No development shall take place, until an amended Construction Environmental Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The approved Plan shall be adhered to throughout the construction period. In addition to the existing requirements, the Plan shall provide for:
 - (a) An indicative programme for carrying out of the development;
 - (b) The arrangements for public consultation and liaison during the construction works;
 - (c) Measures to minimise the noise (including vibration) generated by the construction process to include hours of work, proposed method of piling for foundations, the careful selection of plant and machinery and use of noise mitigation barrier(s)
 - (d) Details of any floodlighting, including location, height, type and direction of light sources and intensity of illumination
 - (g) storage of plant and materials used in constructing the development
 - (h) measures to control the emission of dust, dirt and run-off during construction
 - (i) further details on how the ancient woodland will be protected, and avoid risks by construction vehicles and the storage of materials.
15. Prior to the commencement of development an Arboricultural Method Statement and finalised Tree Protection Plan, in accordance with BS5837:2012 Trees in Relation to Design, Demolition and Construction, shall be submitted to, and approved in writing by, the Local Planning Authority. Development shall be carried out in accordance with the approved details.
16. Prior to commencement of development, the applicant must submit the following to the Local Planning Authority for its written approval:
 - (a) a method statement for identification of land contamination including removal of material containing asbestos from site, quantification of loose fibres in soil and a detailed remediation scheme
 - (b) the approved remediation scheme must be carried out in accordance with the approved details.Following the completion of approved remediation measures identified in the scheme, a verification report must be submitted to the Local Planning Authority for approval in writing. This verification report must provide documented evidence of the remediation work carried out on site. If monitoring of air borne asbestos fibres during the earthworks is identified as

one of the control measures, this must be appended to the verification report on completion along with monitoring data and measures employed to control air borne asbestos fibres on site/at site boundaries.

17. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation must be carried out to identify the extent, scale and nature of contamination, and where necessary a remediation scheme must be prepared to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, and other sensitive receptors and is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.