



Appeal Decision

Site visit made on 25 June 2025

by H Miles BA (hons), MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 JULY 2025

Appeal Ref: APP/D3640/W/25/3360167

Land at Latchetts Mead, Green Lane, Chobham, Woking GU24 8PH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by William Lacey Group against the decision of Surrey Heath Borough Council.
 - The application Ref is 21/0830/FFU.
 - The development proposed is change of Use of land to create SANG extension to Chobham Meadows.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The plans and details that were before the Council and interested parties proposed this site as an extension to Chobham Meadows, and the submitted plan shows fencing around the perimeter with connection points to this open land. No access is shown to Green Lane. I have assessed the appeal on this basis.

Main Issue

3. The main issue is whether the proposal would provide new and enhanced opportunities for recreation with particular regard to the management of the land.

Reasons

4. The appeal site is a wooded area adjacent to Chobham Meadows. The proposals seek recreational use of this area. It would be accessed via footpaths which would connect to the existing routes in Chobham Meadows which is owned, maintained and managed by the Council.
5. With regard to the proposed recreational use, the development would require the provision of footpaths to access the appeal site which would be on the adjoining land. It would also result in additional maintenance to the existing Chobham Meadow footpaths and facilities associated with increased footfall to access the proposed site.
6. There have been discussions between the appellant and the Council as to how this could occur, including the responsibility for maintenance and management in perpetuity and the transfer of land to the Council. However, the Council's position is that this site is not a priority for the delivery of additional SANG and planning permission was refused. It is clear that an agreement has not been reached and no mechanism that would secure any works to the adjoining land has been submitted. On the basis of the Council's position in the evidence before me now,

there is no prospect of securing these necessary measures. Moreover, a negatively worded condition which requires an applicant to enter into a planning obligation is unlikely to be appropriate in the majority of cases and detail such as principal terms have not been submitted to demonstrate that any agreement would meet the relevant tests. Therefore, it would not be appropriate to require these works via a negatively worded condition in this case. Consequently, the proposed development would not function well or provide new and enhanced opportunities for recreation.

7. The Thames Basin Heaths Special Protection Area (SPA) is a habitats site designated for reasons including its support of Dartford warbler, nightjar and woodlark. Policy CP14 of the Core Strategy & Development Management Policies 2011-2028 (2012) (Local Plan) seeks to protect these areas, amongst other things. Together the Thames Basin Heath's SPA Delivery Framework 2009 (Delivery Framework) and Thames Basin Heaths Special Protection Area Avoidance Strategy Supplementary Planning Document 2019 (SPD) set out that the pressure on this SPA from new development can be mitigated, in part, through the provision of Suitable Alternative Natural Greenspace (SANG). They set guidelines for the creation of SANG, including a requirement for a 2.3-2.5km circular walk.
8. The appeal scheme does not propose a stand alone SANG, but an extension to an existing SANG and I have assessed the appeal accordingly. In combination, the proposed area together with the existing Chobham Meadows would be of a suitable size and could provide an appropriate circular footpath. I have also been provided with comments from Natural England on this basis. I note there are no objections from the Surrey Wildlife Trust and the longer footpath would improve the experience of users of Chobham Meadows. However, for the reasons set out above the appeal scheme would not secure these sites operating together. Consequently, the proposed site would not be used a SANG extension or in connection with Chobham Meadows and would not therefore meet the guidelines set out in the SPD and Delivery Framework. Nor would it deliver any benefits associated with such provision.
9. The development could secure ecological enhancements via condition, however given the uncertainty of how these would be delivered, at this stage they attract minimal weight in favour of the development. Therefore, this matter has not been sufficient to outweigh the findings above and to be determinative.
10. Given my conclusions that this site would not form an extension to Chobham Meadows, whether or not it was considered to be SANG, it has not been necessary to change the description of development in this case.
11. Therefore, the proposed development would not provide new and enhanced opportunities for recreation with particular regard to the management of the land. Consequently, it would not be in accordance with Policy DM16 of the Local Plan which seeks to encourage new and enhanced opportunities for recreation.
12. However, for the reasons set out above Policy CP14 of the LP, the Delivery Framework and the SPD mainly relate to matters relating to biodiversity and SANG. Therefore, the policy set out above is more relevant to this main issue.

Other Matters

13. The proposal would be for outdoor recreation which preserves the openness of the Green Belt and does not conflict with the purposes of including land within it. Therefore, it would not be inappropriate development in the Green Belt according to the National Planning Policy Framework (2024).
14. The application was considered by the Council over an extended period. It is clear that there have been discussions between the parties during this time. Nevertheless, the final position of the Council is as set out in the decision notice. Whilst I have taken the matters discussed into account insofar as they are pertinent, the financial terms of any land transfer are not relevant to the planning merits of this proposal.

Conclusion

15. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Therefore, for the reasons given above the appeal should be dismissed.

H Miles

INSPECTOR