



21 September 2026

Ms. Jessica Riches, Case Officer
Planning Department
Guildford Borough Council
Millmead House
Millmead
Guildford
GU2 4BB
By email

Dear Ms Riches,

Re: Planning Application 25/P/01726 (Follyhatch SANG, land east and west of Follyhatch Lane). Supplementary Objection from the Normandy Action Group

I write, on behalf of the Normandy Action Group, further to my email of 2 September and to our original objection to this proposal dated 12 March 2026.

Having reviewed the amended application documents submitted in July and August 2026, plus the various subsequent responses from statutory consultees and others, **we wish to maintain our objection**. While the amendments provide additional information and improve some aspects of the access layout, landscape design, routine maintenance arrangements, and biodiversity assessment, they do not resolve the fundamental question of whether Follyhatch would provide effective, accessible, and legally certain mitigation for the recreational impact of application 25/P/01725 on the Thames Basin Heaths Special Protection Area (TBHSPA).

The amended proposals should be assessed as a complete mitigation package and not merely as a recreational change of use. The burden remains on the applicant to demonstrate, beyond reasonable doubt, that the SANG will avoid an adverse effect on the integrity of the TBHSPA brought about by application 25/P/01725.

Summary of grounds for objection

- Failure to demonstrate effective and legally certain mitigation of potential harm to the TBHSPA;
- Reliance on access improvements outside this application and without demonstrated delivery certainty;
- Failure to demonstrate an inclusive, safe, and year-round usable circular walking route;
- Insufficient assessment of the A323 access, parking demand, and highway safety;
- Insufficient legal and financial certainty and no defined monitoring of SANG effectiveness;
- Insufficient evidence that biodiversity targets are deliverable alongside intensive recreational use;
- Inadequate assessment of landscape, Green Belt, flooding, and archaeological effects.

We develop these arguments below. (Emphasis added throughout in bold.)

1. Failure to demonstrate effective TBHSPA mitigation

This remains our principal objection. The applicant's Covering Letter of 13 July records that Natural England considered there to be insufficient information to confirm that the proposed SANG would effectively mitigate recreational impacts on the TBHSPA. This assessment has been reaffirmed in Natural England's letter of 1 September, which states: "*Natural England requires further information on the proposed Suitable Alternative Natural Greenspace (SANG) to have certainty that the mitigation will function and be managed in perpetuity.*"

In its original submission Natural England requested a full SANG Management Plan, including long-term management and maintenance arrangements, and noted that a Habitats Regulations Assessment covering the SANG proposals had not been provided.

A detailed Landscape and Ecology Management Plan (LEMP) has now been submitted and this addresses part of Natural England's requirement. It sets objectives and maintenance prescriptions for planting, grassland, waterbodies, paths, litter, trees, and play areas. However, Natural England still awaits a **full SANG management plan** giving greater detail than has so far been provided. The English Estates letter appended to the LEMP refers to that organisation and The Greenspace Trust as an enduring management body, and carries a 'Natural England Approved' logo, but this must not be treated as Natural England's approval of the Follyhatch scheme itself. An assertion that the SANG complies with guidance is not equivalent to scheme-specific agreement from Natural England or a lawful appropriate assessment by the Council.

Local Plan Policy P5 states that permission will only be granted in cases such as this where it can be demonstrated that development proposals "**would not give rise to adverse effects on the ecological integrity of the SPA, whether alone or in combination with other development. Where one or more adverse effects on the integrity of the SPA will arise, measures to avoid and mitigate these effects must be delivered and secured in perpetuity.**" The Policy further states that any such measures, such as proposals for a new SANG, are unlikely to be acceptable unless agreed with Natural England in accordance with South East Plan policy NRM6. The Guildford *Thames Basin Heaths SPA Avoidance Strategy* SPD also states that privately owned SANGs "*should meet Natural England's SANG guidelines and must be agreed with Natural England*".

The National Planning Policy Framework (NPPF) published in August 2026 includes Policy N6, which states that a proposal affecting a site of international importance should be refused unless either:

- (i) an appropriate assessment has concluded that it will not adversely affect the integrity of the site, either individually or in combination with other developments; or*
- (ii) the impact of the development on relevant protected features of the protected site is addressed through an Environmental Delivery Plan, and the applicant has committed to paying the nature restoration levy.*

We recognise that the appropriate assessment is the Council's responsibility and need not necessarily form part of the applicant's submission. We therefore do not advance its present absence as a freestanding reason for refusal. The decisive point is that permission cannot lawfully be granted unless, before the decision is made, the Council has carried out an appropriate assessment and concluded that there will be no adverse effect on the integrity of the SPA beyond reasonable doubt. Every measure required to mitigate the effects of the development on the TBHSPA must be secured, deliverable, enforceable, and sufficiently certain to occur. A condition requiring the essential elements of the mitigation, such as its design or funding, to be settled later would not achieve the necessary certainty at the assessment stage. The applicant should therefore provide the evidence needed for the Council to reach a conclusion. **We note that Natural England has asked to be re-consulted once the further information it has requested has been provided.**

2. The SANG is not demonstrably capable of functioning independently

The Updated Transport Statement presents this as a 'standalone application', yet regarding proposed access it only deals in any detail with the proposed new route from the A323. The proposed improvements said to make walking routes suitable for residents of the proposed Normandy and Flexford development do not form part of this application and would only be delivered through the separate residential application 25/P/01725 (para 4.1.4).

The Transport Statement acknowledges material problems on those routes, including parked vehicles pushing pedestrians into Westwood Lane, vegetation obstructing FP362, a slippery bridge, the need to re-establish FP360, the absence of a formal dropped-kerb crossing, muddy or puddled conditions on BW522, stiles and kissing gates, and gradients that may be difficult to address because routes cross land outside the applicant's control. (Para 3.3.10) It says works would be secured either by a future financial contribution or, where appropriate, a section 278 agreement, but the final mechanism has not been confirmed.

The applicant may respond that the SANG can operate independently using the A323 car park and that the off-site walking links belong only to application 25/P/01725. That response creates a clear evidential choice. If the Council assesses Follyhatch as a car-accessed standalone SANG, its catchment, visitor attraction, trip generation and parking provision must be justified on that basis. If the linked residential proposal 25/P/01725 relies on pedestrian and cycle connections to establish convenient access and effective mitigation, those connections are integral to mitigation, and their land rights, approvals, design, funding, programme and completion before occupation must be demonstrated. **The applicant should not be permitted to rely on the off-site links to establish effectiveness while treating their delivery as outside the relevant mitigation package.**

This unresolved dependency engages Local Plan Policy ID3, which seeks an "*integrated, accessible, and safe transport system*", with new developments required to maximise, inter alia, the provision of high-quality, safe, and direct walking and cycling routes to local facilities, improvements to existing walking and cycling routes, and opportunities for people with disabilities to access all modes of transport. A financial contribution alone would not demonstrate that works on third-party land are capable of delivering these requirements.

The Council should therefore require the applicant to define which access scenario underpins the SANG's claimed catchment and effectiveness, assess that scenario consistently **across both applications**, and secure walking and cycling connections, as appropriate, through a specific and demonstrably deliverable mechanism with completion before first occupation.

3. Inclusive and year-round accessibility has not been demonstrated

The amended Circular Walks Plan identifies a primary route of approximately 2.6 km. This is broadly comparable with Natural England's indicative 2.3 to 2.5 km circular walk. We do not suggest that Natural England's guidance requires every path to be fully accessible to every user. **The relevant concern here is narrower and evidence-based: whether the scheme provides the safe, convenient and easily used route claimed for its intended visitors, and whether that route will remain attractive throughout the year.**

The LEMP states that elevated pedestrian routes through the Wetland Meadow will maintain year-round access and gives general prescriptions for hard-surface maintenance. However, the *Platform and Levels Strategy* does not provide a complete longitudinal profile or coordinated schedule of gradients, crossfalls, surfacing, drainage, and resting opportunities for the primary circuit. Without that information, the Council cannot verify the claimed year-round performance or understand which users can complete the route from the car park and principal entrances.

The Transport Statement also says that 'kissing gates' may be installed on both sides of the BOAT crossings. Such gates can materially constrain mobility scooters, adapted cycles, pushchairs and some wheelchairs. The objection is not that any 'kissing gate' is automatically

unacceptable, but that the selected gate type, clear opening, manoeuvring space and any accessible alternative have not been shown. Pedestrian visibility at the BOAT crossings is also deferred to condition even though these crossings form part of the primary circuit.

Natural England's SANG guidance expects safe access from the nearest car park or footpath, entrances appropriate to the intended users, and paths that are easily used and maintained. **The drawings should therefore identify a coherent primary all-weather circuit and provide enough detail on gradients, crossfalls, surfacing, drainage, rest points, gates and BOAT crossings for the Council and Natural England to test the applicant's accessibility and year-round-use claims before determination.**

4. A323 access, parking demand and highway safety

The amended access drawing is an improvement and shows a nominal 4.8 m access width, a separate pedestrian route, swept paths and 120 m visibility splays. The applicant may argue that a 20-space rural car park generates only modest traffic and that detailed highway matters can be conditioned. Nevertheless, because vehicular access is essential to the intended SANG catchment, the Council needs proportionate evidence that the particular layout is safe, operable, and large enough for the visitor demand on which the TBHSPA mitigation strategy depends.

The Transport Statement describes car park traffic as 'de minimis' but does not provide a quantified visitor-demand, trip-generation, parking-accumulation or peak-use assessment. **Low traffic generation cannot simply be assumed when the car park is intended to attract trips that might otherwise be made to the SPA.** The evidence should relate the proposed 20 spaces to the SANG catchment, predicted visitor numbers, duration of stay, and seasonal or weekend peaks, and assess the practical consequences of overspill given the A323 setting.

The submitted material does not identify a measured 85th-percentile speed survey to verify the speed environment used for visibility, nor an independent Road Safety Audit addressing the final access arrangement. While neither item is automatically mandatory in every planning application, both would provide proportionate assurance here because the proposal introduces a public car park access onto an unlit 40 mph A-road with reported peak flows of approximately 940 vehicles per hour. The swept-path material should also address simultaneous visitor, pumping-station, agricultural, maintenance, emergency and refuse movements rather than isolated selected manoeuvres. In particular, the drawings appear to show that opposing vehicles cannot pass within the access, do not demonstrate the full right-turn exit manoeuvre from the pumping-station area, and do not clearly establish visibility for a driver emerging from that area.

The access drawing indicates only approximately 6 m between the carriageway edge and the gate line, while the gate leaves appear to open towards the highway. The applicant may say the gates will normally remain open or can be controlled operationally. That is not a substitute for a dimensioned arrangement showing that the largest foreseeable vehicle can wait wholly clear of the running carriageway with the gates in their worst-case operating position. The pedestrian gate arrangement also requires proper clear-opening and manoeuvring dimensions rather than a schematic symbol.

The access arrangement drawing and the SANG general arrangement should also be reconciled because they appear to depict different pedestrian-access arrangements. Obscured notes on the general arrangement drawings should be reissued legibly. The drawings should expressly demonstrate how Route 6A (FP362) connects into the SANG, because proposed planting presently appears to interrupt that connection, and should also clarify the proposed path serving Route 6B (FP360) in relation to the ancient woodland buffer. Every existing public right of way affected by planting, fencing, or gates should be shown continuously and consistently across the drawing set.

We do not assert that the access is necessarily unsafe, nor that every requested item is a statutory prerequisite. Our case is that **the evidence does not yet resolve identifiable layout**

and operational questions central to the SANG's function. The Council should obtain a measured-speed survey or a reasoned alternative speed basis, a quantified parking and trip assessment, an independent safety review, a walking and cycling review, and a coordinated servicing and emergency-access strategy before concluding that the access is safe and suitable.

5. Management is described, but legal, financial and performance certainty remains absent

The LEMP materially improves the information previously available. It identifies English Estates as the proposed manager and The Greenspace Trust C.I.C. as the intended freehold owner. It includes detailed maintenance prescriptions, an annual programme, contractor standards, habitat inspections, replacement planting, litter clearance, waterbody and basin maintenance, tree inspections, and weekly and annual play-area inspections.

However, the arrangements remain expressly conditional. The LEMP states that transfer, responsibilities, funding, and implementation depend upon future legal agreements and planning obligations. Appendix E is a 'Subject to Contract' letter of intent and is not a binding commitment to acquire or manage the site. The applicant may reasonably say that a Section 106 agreement is normally completed only shortly before permission is issued. Our objection is therefore not to the timing of execution as such, but to the present absence of the quantified and settled terms that the Council must evaluate before deciding whether or not to grant permission.

The letter describes a Private Adoption Fee divided between a 75% capital-preservation investment and a 25% liquidity and contingency reserve. It does not disclose the fee, cost plan, forecast annual expenditure, investment return, inflation assumption, sinking-fund liabilities, stress testing, or replenishment mechanism. Guildford's *TBHSPA Avoidance Strategy* SPD, paragraphs 3.24 and 3.27, requires adequate ring-fenced funding for the life of the SANG, with funding calculated based on approved forecasts and secured for at least 125 years, with costs capable of being met at any point. The SPD also identifies a bond as a possible response to unacceptable funding uncertainty. **A generic funding model is therefore not enough; the scheme-specific calculation and safeguards should be independently reviewed before any grant of permission.**

The LEMP's proposed structure is said to remove the need for Council step-in rights. That position would appear to conflict with paragraph 3.25 of the SPD, which states that where a third-party management company is proposed to own and/or manage the SANG, step-in rights will always be required, secured through a Section 106 or similar agreement, and that such an arrangement must be agreed with Natural England. In any event, the legal package should bind successors in title, restrict incompatible disposal, secure the ring-fenced fund, define audit and reporting rights, and provide an effective step-in or replacement-manager mechanism. **Any departure from the SPD requires a clear, evidence-based explanation accepted by the Council and Natural England.**

The LEMP largely monitors whether maintenance tasks are performed, rather than whether the SANG succeeds as SPA mitigation. The applicant may argue that strategic SPA monitoring is undertaken through a SAMM. That does not remove the need for site-specific evidence: the Council's SPD expressly includes visitor surveys among the matters relevant to maintaining a privately owned SANG to the required standard and records regular visitor surveys as a means of reviewing effectiveness. **The legal package should therefore specify a proportionate baseline, survey frequency, reporting timetable, success criteria and corrective triggers to establish whether residents do use the SANG, whether predicted visitor levels are achieved, and whether any remedial action is required.**

6. Biodiversity net gain and ecological deliverability

The amended Biodiversity Net Gain Assessment predicts an increase of 38.09 habitat units (49.53%) and 3.99 hedgerow units (49.48%) for the SANG application. Thus, the amended

assessment now presents a positive numerical result for this site. However, this does not by itself demonstrate that the forecast habitats and conditions will be achieved in practice.

The calculation depends upon the establishment and future condition of neutral grassland, woodland, scrub, species-rich hedgerows, SuDS habitats, and approximately 175 new trees. But the SANG must simultaneously accommodate regular recreational and dog-walking use; trampling, dog nutrient enrichment, disturbance, soil and drainage conditions, seasonal flooding and the intensity of maintenance may materially affect whether the target habitat types and conditions are achievable.

The LEMP provides a detailed operational schedule for grassland, woodland, hedgerows, waterbodies and replacement planting. The applicant may argue that approval of the final Biodiversity Gain Plan and Habitat Management and Monitoring Plan can occur under the statutory post-permission regime. **However, habitat creation, drainage and management assumptions relied upon now to demonstrate SANG attractiveness, ecological compatibility, or the absence of adverse effects on the SPA must be sufficiently evidenced at determination and cannot be deferred merely by labelling them BNG details.** The legal arrangements should align parcel-specific targets, monitoring and remediation across the BNG documents, LEMP, SANG management provisions, and drainage strategy.

There are also internal and technical inconsistencies requiring correction before the LEMP is made enforceable. For example, it cites the superseded *Conservation of Habitats and Species Regulations 2010* and BS 5837:2005 rather than the *Conservation of Habitats and Species Regulations 2017* and BS 5837:2012. The LEMP and the bizarrely paragraph-numbered Ecological Impact Assessment to which it links give different dates for the bird nesting season (variously February to August or March to August), while the hedge cutting specification only avoids pruning from March to July. The hedge section says cutting will occur once every two years (8.8.2), but the following table says mixed native and single-species hedges are cut 'twice every year' while listing only one time of cut (8.8.3) – and the time of year is shown differently in Appendix A, the maintenance schedule. These ambiguities matter because the approved LEMP would define the manager's enforceable obligations.

The relationship between SANG establishment and claimed biodiversity gain should be transparent. The applicant should identify which measures are required to meet the mitigation threshold, demonstrate that the statutory metric has treated those measures in accordance with current statutory rules, and show how any BNG relied upon by application 25/P/01725 is legally allocated without double counting. (In our separate supplementary objection to the latter application, we have made the point that there is overreliance on BNG on the SANG site to compensate for BNG loss on the main site, which suggests that the scale and intensity of development on the latter is excessive.)

7. Flooding and year-round SANG performance

The *Flood Risk Assessment and Drainage Strategy Addendum 2* records that the Environment Agency and Surrey County Council Lead Local Flood Authority did not object to the previous drainage proposals and asserts that the revised layout causes no change to those conclusions. However, our objection does not rely on a general allegation that the development will necessarily increase on- or off-site flood risk.

We note that the LEMP adds general prescriptions for waterbody and attenuation-basin maintenance, including inspection of inlets, outlets, overflows, banks and structures, vegetation management, sediment removal, and repair of erosion. It also asserts that elevated routes through the Wetland Meadow will provide year-round access. Nevertheless, neither the LEMP nor the drainage addendum demonstrates, route by route, that the principal Circular Walk and its connections will remain safe, firm and attractive during winter and after significant rainfall. **This is directly relevant to the SANG's ability to divert regular recreational visits from the SPA throughout the year.**

An integrated plan should overlay the walking routes, existing and proposed levels, surface-water flow paths, flood extents, drainage features, and path construction. Maintenance and recovery standards should be secured so that ponding, erosion, saturation or flooding does not materially reduce recreational capacity.

8. Green Belt, landscape, and rural character

We recognise that appropriate outdoor recreation and nature-conservation works are not necessarily inappropriate development in the Green Belt. The objection is therefore directed to the scale and combined effect of the engineered and built components rather than the principle of public recreational access.

The proposal includes a 20-space car park, access widening, gates, paths, play features, signs and furniture, together with land remodelling shown as involving local cut or fill of up to approximately 2.5 m. **The application does not provide a sufficiently clear assessment of their combined spatial and visual effects on openness, rural character, and the experience of the landscape.**

9. Archaeology and heritage

Our previous objection referred to the Area of High Archaeological Potential (AHAP) in the south eastern part of the site and regretted that the applicant had not seen fit to conduct a geophysical survey, as previously recommended by Surrey County Council Archaeology. In response to the desk-based assessment now submitted by the applicant, Surrey Archaeology has concluded (their submission of 21 August) that *“a programme of archaeological monitoring (Watching Brief) during intrusive works would be a proportionate response.”*

We do not wish to challenge this conclusion, on the understanding that it should be reflected in a Planning Condition. We would, however, point out that archaeological assessment remains very relevant to deliverability of the project as a whole, and would respectfully submit that **sufficient evaluation should occur before the layout is irreversibly fixed so that any significant remains can be accommodated without undermining the SANG Circular Route or plans for planting, drainage, biodiversity delivery, and landscape mitigation.**

10. Matters that must be resolved before permission

The applicant may characterise many of the concerns above as detailed matters capable of being addressed by condition. That is only partly correct. Routine specifications, minor planting refinements, and later maintenance programming may properly be conditioned. By contrast, the Council must have sufficient certainty at the decision stage about the mitigation's essential access strategy, primary route, capacity, enduring ownership, scheme-specific funding, step-in rights, and monitoring framework because those matters underpin the appropriate assessment and the conclusion that adverse effects on the SPA will be avoided.

The appropriate response is therefore a proportionate one: require the missing evidence and agreed heads of terms before determination; use conditions only for genuinely subsidiary detail; and secure the funding, management, monitoring, delivery triggers and enforcement arrangements through a completed Section 106 agreement before any permission is issued. **If those essentials cannot be demonstrated with the necessary certainty, Policy P5, the SPA Avoidance Strategy SPD and NPPF Policy N6 all point to refusal.**

Conclusion

The amended submission addresses some presentational and design matters but does not resolve the central concern: **the Council cannot yet have sufficient certainty that Follyhatch would operate as effective, accessible and permanent mitigation for the TBHSPA.**

The Normandy Action Group therefore maintains its objection. The application should be refused, or determination deferred, unless and until:

- Natural England's outstanding concerns are resolved, and the Council has drawn up an appropriate assessment that concludes there would be no adverse effect on SPA integrity;
- All access routes necessary for the SANG to function are designed, controlled, funded, and secured for delivery before occupation;
- A continuous, inclusive, and all-weather Circular Route is demonstrated in detail;
- The A323 access and parking arrangements are supported by measured and independently audited evidence;
- The proposed ownership and management arrangements, scheme-specific funding calculation, ring-fenced security, SPD-compliant step-in rights, performance monitoring, and remedial mechanisms are agreed and legally secured; and
- Ecological, drainage, landscape, and archaeological measures are shown to be mutually compatible and deliverable.

In short, every measure stipulated by an appropriate assessment must be identified with precision and secured through an appropriate combination of approved plans, conditions, delivery triggers and a completed planning obligation before the application can be determined. **No element essential to the effectiveness of the SANG should be left to informal agreement or an unspecified future approval.**

Yours sincerely,

The Normandy Action Group

Documents and policies referred to:

Amended application documents for 25/P/01726, including: the 13 July 2026 Covering Letter; Updated Transport Statement; amended access, circular walks and levels drawings; Flood Risk Assessment and Drainage Strategy Addendum 2; amended Biodiversity Net Gain Assessment; Landscape and Ecology Management Plan PL04; Ecological Impact Assessment.

Normandy Action Group objection dated 12/03/2026.

Guildford Local Plan: Strategy and Sites 2015-2034, particularly Policies P5 and ID3.

Guildford Borough Council Thames Basin Heaths SPA Avoidance Strategy SPD 2017.

Natural England Guidelines for Creation of Suitable Alternative Natural Greenspace, 2021.

National Planning Policy Framework, August 2026, particularly national decision-making Policy N6.

Conservation of Habitats and Species Regulations 2017, as amended.