

Land off Midhurst Road at Scotland Park, Midhurst Road, Haslemere, Surrey

Planning Inspectorate No: APP/R3650/W/3327643

LPA reference: WA/2022/01887

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**OPENING SPEECH OF THE APPELLANT  
REDWOOD (SOUTH WEST) LTD**

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**Introduction**

1. The Appellant seeks planning permission for an Appeal Scheme comprising up to 110 new dwellings (in outline) along with full permission for 1 dwelling, access, a scout hut and forest school, and landscaping needed to create a large area of strategic Suitable Alternative Natural Greenspace (“**SANG**”). 35% of the housing (39 units) is to be affordable – that is above the policy requirement. Moreover, the Appellant has also offered a financial contribution toward off-site affordable housing in Haslemere/ Hindhead<sup>1</sup>. The proposed SANG, following approval of reserved matters, is to be large enough to mitigate recreational impacts Wealden Heath Phase II SPA (“**the SPA**”) for development across Haslemere and beyond<sup>2</sup> including long-stalled allocated sites.
2. At the opening of the first inquiry in early 2024, we began by emphasising the acute need for market and affordable housing in the Borough and the intractable nature of the problem at Haslemere in particular. We said that without sites like this one - a high quality, carefully designed, landscape led scheme on the edge of one of the largest and most sustainable settlements in the Borough - the imperative to take up opportunities for sustainable development is only going to increase.
3. The intervening 14 months have rather made our point.

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<sup>1</sup> See Collins’ Proof at 6.76.

<sup>2</sup> See Maps 1 and 2 appended to the SANG Statement in Annex 1 of Mr Jack’s proof (NID 5.3)

4. First, the housing land supply position has deteriorated very significantly. Whereas the Council (“WBC”) originally contended<sup>3</sup> for 4.1 years of HLS, a shortfall of 629 dwellings over the 5 year period, the agreed position is now only 1.28 years, a shortfall of 5,777 homes across the period 2024-29.<sup>4</sup>
5. This is not just a result of a substantial increase in the housing demand now identified by the revised standard method for the borough; it also stems from a continuing and persistent failure by WBC to take meaningful steps to address the problem in either the short, medium or long term.<sup>5</sup>
6. In the short term, WBC has failed to enable the progression consents for the sites which are already allocated under the local plan, effectively reaping the rewards of the problems inherent in the strategic choices it made in the Local Plan Part 1 2018 (“LPP1”) and Local Plan Part 2 2023 (“LPP2”). At the borough level WBC has finally come to accept that its major strategic allocation (Dunsfold Park) is not deliverable<sup>6</sup>; at the local level, Haslemere has seen an almost total stagnation of its LPP2 sites – partly because of the individual problems with those sites but also because WBC has failed to identify a proper form of strategic mitigation for recreational pressure upon the SPA.
7. The numbers tell the story. So, not only is the 5 year HLS shortfall massive (-5777 dwellings) if one considers the period to the end of 2032 (the LPP1 period<sup>7</sup>) the evidence shows a potential shortfall of 8,026 dwellings.<sup>8</sup> While HDT results have been good, the number of deliverable outstanding planning permissions has fallen substantially: for large sites from 2,008 dwellings to 1,115.<sup>9</sup>

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<sup>3</sup> See CD 5.3f ep9.

<sup>4</sup> NID 4.1 ep 9.

<sup>5</sup> See Collins’ Proof at 4.20, 8.36 and 14.4.

<sup>6</sup> See Neame Sutton Limited Technical Report at 2.8 (NID5.1 ep219)

<sup>7</sup> Note that the LPP1 is now over five years old so out of date: see CD 7.58 and Mr Collins’ proof at 2.20.

<sup>8</sup> See Mr Collins’ Proof Appendix 3 *Technical Report: Paragraph 190 – Husing Need & Trajectory Matters*, from Neame Sutton at section 7.

<sup>9</sup> Compare NID 4.1 with CD 5.3f.

8. WBC seek to point to their HDT results to suggest the picture is not as negative as all that.<sup>10</sup> The HDT is, of course, backward looking over the past 3 year period<sup>11</sup> and, as we know the period between 2019 – 2023 was affected by COVID and consequently adjustments were made by Government to the calculation during that time. More importantly the HDT is not representative of the current housing need, which has changed dramatically with the new Standard Method calculation of LHN. Looking forward over the next 5-years it is clear, and agreed, that WBC’s shortfall is massive.<sup>12</sup> The HDT performance figures for the past are therefore of little or no relevance now.
9. In the medium or longer term, WBC show little urgency in bringing forwards a new local plan. The December 2023 local development scheme (“LDS”) set out a programme to adoption in November 2027<sup>13</sup>, but the March 2025 has already moved that back to July 2028<sup>14</sup> (whilst significantly shortening the time budgeted for examination) yet still projected to take longer than the Government’s target of 30 months.<sup>15</sup> Despite a call for site in Q1 2024, no Land Availability Assessment has been published, and it is uncertain whether one is currently even in draft<sup>16</sup>. Adding to this the uncertainties created by local government reorganisation, it seems clear that there will be no new local plan in Waverley for many years to come.
10. The Leader of WBC wrote to the Secretary of State on 19 September 2024.<sup>17</sup> I understand that this is still the Council’s official position in relation to the implications of the revised standard method. The letter states that “*the standard*

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<sup>10</sup> See Johnson’s Proof at 9.5.

<sup>11</sup> CD8.1 at 79.

<sup>12</sup> NID4.1 – Table 1 on Page 8 confirms the need figures for the most recent HDT calculation. NID4.1 – Table 2 on Page 8 confirms the current need calculated via the Standard Method. Annual need now is 1481 dpa against the past 3 year total of 1603.

<sup>13</sup> NID 7.15 ep 7.

<sup>14</sup> Because the new LDS confirms no new Plan will be in place until at least July 2028 para 78 c) of the NPPF will therefore be engaged from 1 July 2026 and a 20% buffer will be required leading to an even greater HLS shortfall.

<sup>15</sup> NID 7.47 Annex 1 ep 7: note the 2025 LDS anticipates eight months from submission to adoption; the 2023 LDS anticipated 13 months for the same stage.

<sup>16</sup> See Collins Proof at 4.41 (NID 5.1).

<sup>17</sup> See NID 7.18.

*method therefore does not provide a credible basis for preparing our new Local Plan” and it states that “[t]he level of growth required to meet the standard method assessment of need is simply unachievable in a Borough”.* At this time, without a LAA, or draft options emerging Local Plan, it is simply impossible to know this. This does however indicate the scale of the challenge, and requirement for WBC to plan positively now, including decision-making to turn around the very poor housing land supply position. This makes it all the more important to look at sites on their merits and in their contexts.

11. In this context, the Appeal Scheme presents an exceptional opportunity to deliver high quality sustainable market and affordable housing on the urban edge of one of the Borough’s four main settlements while at the same time unlocking development in and around Haslemere.
12. The site sits on the southern fringe of Haslemere, adjacent to the “Phase 1” site consented by Inspector Hockenhill in February 2022. It lies with the Surrey Hills National Landscape (hereafter “**the National Landscape**”) but this is not unusual at Haslemere, where the LPP2 has already seen a necessity to allocate no less than three sites in the National Landscape. The Appeal Scheme is agreed to be major development. As such, the Appellant must show exceptional circumstances but, if it does, then it is anticipated that it will be common ground that (i) the tilted balance would then apply and (ii) permission should be granted.<sup>18</sup> That must be right – the exceptional circumstances test entails consideration of all material planning factors<sup>19</sup>.
13. It follows that all the arguments in this case go to the question of whether exceptional circumstances exist and the development is in the public interest.
14. In approaching this question, NPPF 190 requires decision makers to consider:
  - “a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;

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<sup>18</sup> That was unequivocally WBC’s position at the first inquiry: see ID4.4 at footnote 3 and ID2.7 at 8.5.

<sup>19</sup> See CD10.3 *Monkhill v SSCLG* [2021] EWCA Civ 74.

b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and

c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.”

15. These criteria will be picked up in the evidence and under the Inspector’s main issues. At the outset we make the following points in relation to approach.

(1) First, the test in NPPF 190 may be a high one, but it exists in order to reflect the need for major development to be able to come forward where needs are not otherwise being met. The test is the same whether or not a site is allocated<sup>20</sup> and it is, in fact, lower than the very special circumstances test required for inappropriate development in the Green Belt<sup>21</sup>. Thus Inspector Jones noted at para 798 of the Turnden appeal<sup>22</sup>:

“...while it may be preferable for any new development sites to come forward initially via the plan-led process, para 177 provides a mechanism by which major development can be delivered in AONBs via the development management process regardless of whether the site in question is allocated in the development plan or not, but only if that high test is met.”

(2) Second, in considering whether there are exceptional circumstances, all of the benefits of the development in question can be taken into account. It is not necessary to show that any individual benefit is itself “exceptional” nor that they would be unlikely to occur in a similar fashion elsewhere.<sup>23</sup>

(3) Third, although the legal duty securing the protection of National Landscapes<sup>24</sup> has now been changed to require public authorities (generally) to “*seek to further*” the purposes of the National Landscape (rather than to have regard to those purposes in the exercise of its functions), this is primarily a duty of process rather than outcome. As the High Court has recently confirmed in *New Forest National Park Authority v SSHCLG*

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<sup>20</sup> So will also apply to sites like the Royal School.

<sup>21</sup> CD10.2 *Compton v Guildford Borough Council* [2020] JPL 661.

<sup>22</sup> CD9.28.

<sup>23</sup> Also established in *Compton*, but see the summary in the Turnden Inspector’s report (CD9.28) at para 800.

<sup>24</sup> See Appendix 4 to Mr Johnson’s proof.

[2025] EWHC 726 (Admin) in relation to the equivalent duty in relation to National Parks (which also applies here given the adjacent South Downs National Park), the duty requires a planning authority to determine whether the proposed development is in conflict with the statutory purposes or would undermine their fulfilment but “*It is not a duty necessarily to fulfil those purposes*”<sup>25</sup>. A planning authority must determine whether the proposal is in conflict and consider whether any compensatory or mitigatory measures are available which might reduce or avoid that conflict, however, ultimately it will have to reach a judgement about whether to grant permission and in doing so will have to have regard to national and local policy by virtue of s.70(2) of the 1990 Act and s.38(6) of the 2004 Act. As such, it is doubtful whether the statutory duty actually changes the balance of considerations. The statutory purpose of the National Landscape and the impacts remain the same: the exceptional circumstances test already recognises the need to take account of any adverse effects on environmental and recreational value and for it to be moderated as far as possible.

16. We now turn to deal with main matters identified by the Inspector at the CMC, but first pause to restate our position<sup>26</sup> on the legal risks attendant on any reliance by you on the conclusions or judgements of Inspector Bristow:
  - (1) The decision of Inspector Bristow was quashed by order dated 30 July 2024. The quashing was by consent, with the Secretary of State conceding that the decision was tainted by procedural unfairness as a result of PINS failing to copy the Appellant into material correspondence. This has left the other grounds of challenge undetermined: once the Secretary of State accepted that the decision should be quashed they became academic.
  - (2) The other grounds of claim were fundamental to the decision and included
    - (i) an allegation of apparent bias in the way in which the Inspector had

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<sup>25</sup> NID 8.1 see in particular [61]-[63].

<sup>26</sup> As set out in our position statement at the CMC.

reached his decision **as a whole** and (ii) specific attacks on his conclusions on matters such as the as the benefits generated by the SANG and of delivering biodiversity net gain (“BNG”).

(3) We acknowledge that authority suggests that, in some circumstances, the reasoning of a decision-maker may remain legally material if the decision is quashed for reasons which do not affect the conclusions<sup>27</sup> .

(4) However, here, the point is that no part of the previous decision letter can safely be relied upon. The whole decision is tainted both by the procedural unlawfulness for which the decision was quashed, but also by the (undetermined) allegation of apparent bias. Any future decision which relied on it would risk being tainted in turn.

17. For these reasons, the Appellant asks the Inspector to disregard previous findings of Inspector Bristow. While the Appellant’s witnesses have sought to engage with those findings out of caution (given the Inspector has not indicated whether he is minded to view the previous decision as material or not) this should only be had regard to insofar as it seeks to explain why the professional witnesses have reached the overall conclusions they have.

18. Even if you Sir, contrary to our case, were to consider that you should have some regard to Inspector Bristow’s decision you will need to bear in mind the many changes in circumstances since that decision including<sup>28</sup>: (i) the Labour Government, that came into power in July 2024, has made it very clear that significant increases in the supply of housing are required, for example various Written Ministerial Statements/correspondence<sup>29</sup> with the Government now aspiring to 1.5m new homes by 2029; (ii) a NPPF in December 2024; (iii) the new standard method;<sup>30</sup> (iv) the considerable deterioration in WBC’s 5YLS position; (v) the approval by the Secretary of State of the highly relevant and comparable

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<sup>27</sup> *R (Kinnersley) v Maidstone BC* [2023] EWCA Civ 172 at §30

<sup>28</sup> See Collins’ Proof at 10.3.

<sup>29</sup> NID 7.1 – 7.8.

<sup>30</sup> See Collins’ Proof at section 8.

Turnden Appeal;<sup>31</sup> (vi) the removal of two trees by Surrey County Council at the access to the Appeal Site (within adopted highway land); (vii) further vegetation growth and new AVRs;<sup>32</sup> (viii) the undertaking of a detailed design review, contributing to a more detailed Design Code condition;<sup>33</sup> (ix) the publication of guidance on the new statutory duty in respect of National Landscapes;<sup>34</sup> (x) Natural England have reconfirmed their agreement both that the SANG is capable of meeting wider needs for mitigation of recreational effects and that it is the only proposal that has been approved by NE in the Haslemere area to meet future development needs; and (xi) the offer of an additional affordable housing contribution.

### **Market and affordable housing need**

19. It has been a central part of Government policy since the publication of the NPPF in 2012 that sustainable development requires that housing and specialist needs should be met where they arise. These policy imperatives have been redoubled under the current Government as reflected in the various Written Ministerial Statements and correspondence contained at NID 7.1-7.8.
20. WBC have struggled to meet these needs for many years and, at the present time, show no sign of even approaching the scale of the challenge. As already mentioned, a new local plan is many years away and it is inevitable that speculative and windfall schemes, including in protected areas, will have to come forwards and be consented if the currently dire 5YLS shortfall of 5,777 homes is not to get even worse in coming years.
21. The size of the overall housing shortfall position is only matched by scale of need for affordable housing shown in the data produced by Tetlow King.<sup>35</sup> On their (apparently unchallenged) figures there is now a need for 770 affordable homes per annum across the period 2020/21-2033/32, about 50% of the overall

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<sup>31</sup> NID 7.19.

<sup>32</sup> See Smith Proof at Appendix 1.

<sup>33</sup> See Pullan Proof.

<sup>34</sup> NID7.11.

<sup>35</sup> Appendix 2 to Mr Collins' proof.

housing need figure set by the Standard Method. In Haslemere itself, the figure is 118 affordable homes per year.

22. This is not an abstract or technical matter. As Mr Collins<sup>36</sup> identifies, there are dramatic consequences for affordability in the Borough even beyond the supply of affordable housing products. Waverley's median house price to median wage stands at 17.11 higher than Guildford (11.97) and England (8) with the Borough forming one of the least affordable parts of the South East.
23. It is thus self-evident that the Local Plan has failed to meet Waverley's needs. The situation can therefore only be rectified by: (i) the full Local Plan review being completed (which as discussed is not likely to occur soon, if at all) or (ii) permitting housing on sites which are not allocated or envisaged for it in the adopted Local Plan.
24. Measured against this, the Appeal Scheme will contribute to meeting housing need in two significant and distinct ways.
25. First, it will provide 111 dwellings. 35% of these will be affordable, in exceedance of policy – and there is the additional offer of a further off-site contribution. Mr Collins contends that each of market and affordable housing deserve the highest category of positive weight (his substantial), whilst Mr Johnson views them as benefits of significant rather than substantial weight<sup>37</sup>.
26. Second, the Appeal Scheme will secure a large high-quality SANG. The final scheme will be 12ha<sup>38</sup> mitigate the impacts of 464 dwellings and be able to do so over a larger distance (up to 4km from the site). This will enable the site to mitigate all of Haslemere's LPP2 allocations, not just the town centre sites,

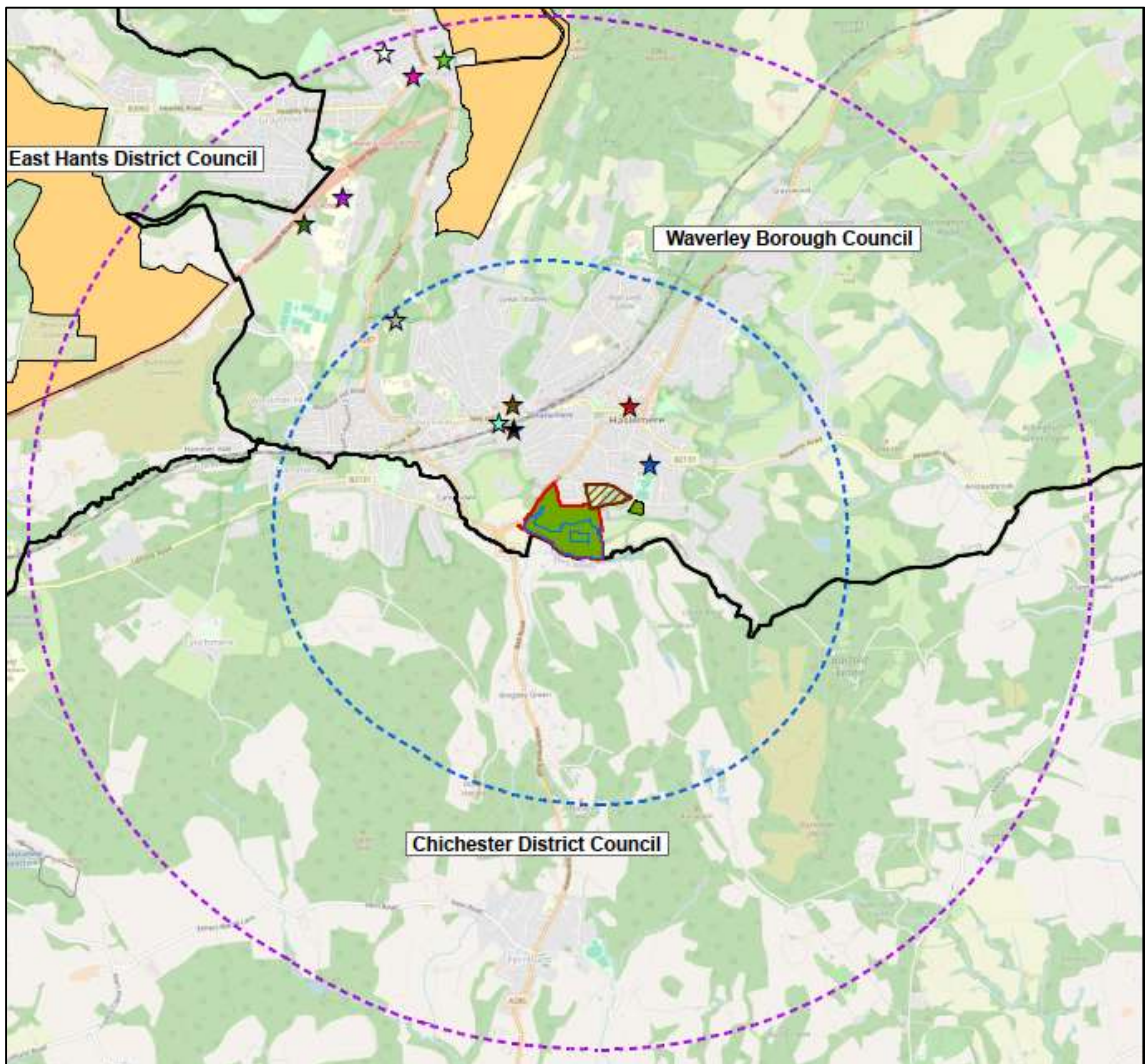
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<sup>36</sup> See his proof at para 6.74.

<sup>37</sup> See his proof at 11.7 read with 11.1.

<sup>38</sup> The detailed part application includes provision for nearly 10ha, but as Mr Kite explains (Appendix 1 to Mr Jack's proof) at para 1.7 and elsewhere, the larger SANG has been agreed in principle with Natural England and the Appellant is happy to secure this.

including the Royal School<sup>39</sup> and the Old Grove<sup>40</sup> as the plan below shows<sup>41</sup> (excerpt from Mr Kite’s Annex).



27. Those allocations are effectively undeliverable at present and, as Mr Collins will explain, there is no real prospect of any other mitigation solution being found in the next few years.
28. It is worth noting that the SANG is of an exceptional quality. Many candidate SANG sites require significant remodelling/planting to provide the kinds of varied and interesting environments which NE seeks. By contrast, the proposed SANG here is (as you, Sir, will see on your site visit) “oven ready”. It meets all

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<sup>39</sup> Allocation DS 06 for approximately 90 dwellings.

<sup>40</sup> Allocation DS 08 for 40 dwellings.

<sup>41</sup> See ep 53 of Mr Jack’s proof – the stars are the LPP2 allocations.

of NE's specifications (where many only come close) and will offer a highly attractive alternative to the SPA for dog-walkers and the public more widely. At the first inquiry the Council's planning witness called it an "ideal" or "perfect" SANG.<sup>42</sup> Moreover, the Appellant has offered to make the SANG available to allocated sites at exceptionally low cost, being pegged to the Farnham Park SANG rates, operated by the Council. As Mr Collins explains, these rates are significantly lower than comparable SANGs in nearby Hart and Rushmoor Councils.

29. Both Mr Johnson and Mr Collins recognise that the SANG would be a benefit of equivalent weight to the direct contributions made by the Appeal Scheme to each of market and affordable housing.<sup>43</sup>

**Effect of Appeal Scheme on landscape character, notably the National Landscape and SDNP, and whether these landscapes will be conserved/protected and enhanced**

30. The Appeal Scheme has been carefully scoped and designed, founding its choices on a thorough understanding of the intrinsic landscape character and scenic beauty of the National Landscape more widely and in the specific context of the site. As Mr Smith and Mr Pullan explain, the proposals respond to that context and character in a number of highly positive ways. The new houses will be placed into a small part of the site within paddocks lying immediately adjacent to the main settlement to the north. The homes will be of a very high quality, reflective of the settled elements of the National Landscape and recognising its intrinsic character and beauty. The access will be provided in a characteristic way through the use of a lodge house and associated positive landscape interventions, all of which will contribute to the creation of a new designed landscape capable of becoming "cherished" in precisely the terms envisaged by the Surrey Hills Environmental Design Guide ("SHEDG"). By pulling the homes into the smallest proportion of the site (some 22%), the design allows the Scheme to secure the balance for beneficial management through a

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<sup>42</sup> ID4.4 para 1 and footnote 1.

<sup>43</sup> See for convenience Mr Collins table 4.1 in his rebuttal proof.

LEMP and SCMP, whilst encouraging access to it and the South Downs National Park beyond by bringing in public access and introducing new younger users through the Scout Hut and Forest School.

31. The resultant overall impacts in landscape and visual terms are discussed by Mr Smith and Mr Petrow for the Council. They agree that views out of the site are largely screened due to a combination of topography and high tree cover<sup>44</sup>, that there are no negative effects on the South Downs National Park or its setting, and that adverse effects (post mitigation) are limited to the two landscape character areas adjacent to the settlement edge and Midhurst Road (LCA1 and 2). Beyond this there is relatively little in common, with the two witnesses reaching significantly different conclusions about the overall effects.
32. The Appellant will ask the Inspector to prefer the evidence of Mr Smith in each regard. Mr Petrow's evidence is inconsistent and pays insufficient attention to the detail of the site and the Appeal Scheme – which leads him to overstate adverse visual effects. He does not properly recognise the differences between the two LCAs which are to be built on and those further to the south. He does not properly take into account the character of the National Landscape and in particular the information provided by the Surrey Hills National Landscape Management Plan, as now encouraged by DEFRA's guidance on compliance with the new s.85 duty, or the SHEDG.
33. The Appellant's evidence will also show that there is no real other option for meeting Waverley's needs other than development in equally or more sensitive locations. In accordance with NPPF 190 b), Mr Smith's evidence sets out an analysis of the agreed list of possible alternative sites concluding that there are few sites within the borough which would be preferable in landscape and visual terms and none adjoining the urban edge of Haslemere that can made any meaningful contribution.

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<sup>44</sup> NID 4.10 para 3.1

### **Effect of Appeal Scheme on ecology**

34. The potential effect of the scheme on bats, dormice, and reptiles in terms of survey information and adequacy of mitigation strategies was raised by WBC through RfR2 alongside impact on wildlife corridors. By the last inquiry both issues had been resolved through submission of further information considered in detail by Surrey Wildlife Trust.
35. The Rule 6 Party now seeks, through a composite proof of evidence only some of which<sup>45</sup> will be spoken to by Dr Guest, to revive all of these issues alongside a concern about the BNG assessments (itself an attempt to revive an argument raised on the neighbouring Phase 1 scheme but rejected by Inspector Hockehull).
36. Mr Jack, a suitably qualified professional ecologist has rebutted all of these points in his written evidence<sup>46</sup> and the consequence and correctness of the points made in relation to wildlife corridors will be explored by Dr Guest. There are no unacceptable impacts which arise as a result of the Appeal Scheme - in fact, as WBC agree, the Scheme is capable of giving rise to benefits in terms of BNG to which Mr Johnson gives moderate weight (i.e. just one rung lower than the weight he gives to the combined contribution to affordable and market housing). This is despite the absence of a statutory or policy requirement for a particular level of BNG.

### **Other benefits**

37. Beyond mere acceptability, the Appeal Scheme also offers a range of other benefits which contribute to the exceptional circumstances case.
38. The new Scout facility and Forest School will each deliver real social and environmental benefits. Paul Buckler (Chair of the Haslemere Scouts) will attend and speak to the pressing need for the new facility and the benefits which it will deliver. Richard Dean (of Grayswood Nursery School, the proposed operator of

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<sup>45</sup> Section 4 in relation to wildlife corridors.

<sup>46</sup> See his rebuttal proof.

the Forest School) is unable to attend due to the Easter holidays but has put in a further written statement which the Inspector is asked to take into account.

39. The Scout facility will provide a high quality replacement for their existing (rather dilapidated) facilities at the Youth Campus site in Weyhill in a context where no other suitable local alternative is available and will also assist in enabling the release of that site for housing. As Mr Buckler explains in his February 2025 letter<sup>47</sup> the Scheme presents a “*transformative opportunity to secure a permanent home*”. That permanence is particularly important because, as he explains, the Scouts have faced considerable uncertainty in terms of their ability to stay on their current site. At the last inquiry, WBC vociferously denied that the Scouts might be left without a home and insisted that the grant of a new lease to them was imminent<sup>48</sup> but it is revealing that over a year later the issue appears not to have progressed one jot. The Forest School will also meet a specific need for which no other long – term alternative site is known.<sup>49</sup>
40. There are also local economic benefits, a matter that is specifically referenced in para 199(a) NPPF. An Economic Benefits Statement was included with the original planning application, appended to the Paragraph 177 Statement<sup>50</sup>. A version updated to the First Inquiry is appended to Mr Collins’ proof (Appendix 1). The economic benefits from the Appeal Proposal are summarised in Section 14. It is evident, as accepted by the Officer’s Report<sup>51</sup>, that due weight should be provided to the contribution in respect of 30 on and off site net permanent jobs, £1.7 million per annum Gross Value Added, increase in local residential expenditure, alongside circa £4.8m in CIL receipts with a range of other increased taxation benefits.

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<sup>47</sup> Appendix 4 to Mr Collins’ proof

<sup>48</sup> See ID4.3 closing submission at [51]-[52], see especially at [51] “*the key point is that there is a 2nd draft of a lease in circulation between the parties. During the virtual session Councillor Aslam confirmed that she had specifically asked for confirmation of the position, and the “unequivocal answer” was that Waverley is renewing the Scouts’ lease*”.

<sup>49</sup> See Appendix 3 to the Planning Statement.

<sup>50</sup> CD 2.13

<sup>51</sup> CD4.2

41. Further, the Appeal Scheme will enhance public access to the countryside including the SDNP (leading to a scheme which fulfils the purposes of the National Park overall) and the National Landscape; deliver BNG above policy; restore/enhance wildlife corridors. All of these benefits (and others discussed in the evidence of Mr Collins) add to the exceptional circumstances case.
42. In all other respects, it is common ground that the Scheme is acceptable (indeed the Appellant would say more than acceptable!). The Appeal Scheme is well designed, and acceptable densities and layout can be achieved<sup>52</sup>, will cause no harm to heritage assets<sup>53</sup>, provides suitable highways mitigation<sup>54</sup> raises no air quality, pollution or drainage/flooding concerns, and will meet the required modern standards for energy efficiency and sustainability<sup>55</sup> (representing a considerable improvement on existing housing stock).

### **Conclusion**

43. For all these reasons, the Appellant considers that the test for exceptional circumstances is met and clearly so. The Appeal Scheme offers a truly exceptional opportunity to unlock much needed housing at Haslemere on a site which will not only have limited landscape impacts (“Slight adverse” in Mr Smith’s assessment) but will also enable a significant increase in access to the National Landscape and countryside itself.
44. The Appellant will in due course invite the Inspector to allow the appeal and grant permission.

**JAMES MAURICI KC**

**MATTHEW DALE-HARRIS**

**Tuesday, 8 April 2024**

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<sup>52</sup> Agreed last time (CD5.3d para 4.6) but not expressly agreed for this inquiry (NID 4.11 para 4.10)

<sup>53</sup> NID 4.11 para 4.17

<sup>54</sup> Ibid 4.13-14

<sup>55</sup> Ibid at para 4.31