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## Appeal Decision

Site visit made on 28 June 2024

**by G Ellis BSc (Hons) MSc MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 12<sup>th</sup> July 2024**

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**Appeal Ref: APP/Y3615/D/24/3340490**

**Treetops, 52 The Street, West Horsley, Leatherhead KT24 6AX**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr Tim Dunn against the decision of Guildford Borough Council.
  - The application Ref is 23/P/02024.
  - The development proposed is for a replacement hedge and fence.
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### Decision

1. The appeal is allowed, and planning permission is granted for a replacement hedge and fence at Treetops, 52 The Street, West Horsley, Leatherhead KT24 6AX in accordance with the terms of the application, Ref 23/P/02024, and the plans submitted with it subject to the following condition: -
  - 1) If, within a period of five years from the date of this decision, the hedge planting (or replacement for it) is removed, uprooted, destroyed or dies or becomes seriously damaged or defective, another plant of the same size and species as that originally planted shall be planted at the same place within the first planting season following the removal, uprooting, destruction or death of the original unless the local planning authority gives its written consent to any variation. Once established the hedge shall be maintained at a height of no less than that of the hereby approved fence.

### Procedural Matter

2. The fence and hedge are in situ; therefore this is a retrospective proposal and I have dealt with it on that basis.
3. The appeal site lies within the West Horsely Conservation Area (the CA). I have therefore had special regard to s72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) throughout my Decision.

### Main Issue

4. The main issue is the effect of the development on the character and appearance of the area, including the Conservation Area.

### Reasons

5. The Street has a verdant character with vegetation on both sides of the road. The boundary fence to No.52 is set back from the edge of the footpath with a row of hedging plants in front. The appellant advises that the boundary treatment replaced a laurel hedge which was diseased, and the removal also safeguarded the adjacent mature Copper Beech. There is no information before

me to indicate that there was any fencing previously. Nonetheless, the need for the removal of the laurel hedge necessitated a new boundary and similar arrangements of fencing behind vegetation and an access gate to The Street are in place for the neighbouring properties. As set out in the Council's Residential Extensions and Alterations Supplementary Planning Document 2019 (SPD) as well as aesthetic considerations, the design and siting of boundary treatments need to consider matters of privacy, safety and security.

6. The existing fencing does have a stark, urbanising appearance and contrasts with the prevailing landscaped form. The height of the hedge shown on the application plans is approximately the current height, however, the appellant advises that the intention is to screen the fencing, and other hedging along this stretch of the road is significantly taller than the fencing sited behind. Any new planting will take time to grow, yet once established the evergreen privet hedge would provide greenery to the road. Privet is commonly used for boundary hedging and is relatively quick growing. There is nothing before me to suggest that it would not adequately obscure the fencing, and therefore the visual impact of the fencing would be temporary. Additionally, I agree with the appellant that a condition could require the hedge to be maintained to at least the height of the fencing.
7. Once mature, the lengths of landscaping to either side of the gate would form part of the attribute of trees and high hedge boundaries which contribute to the significance of this part of the CA. The gate is recessed and while the side returns do not have planting directly in front, the gap is limited, and the boundary will primarily be seen in transient views by users of The Street. As such I do not find the gate would be an overly prominent feature.
8. In conclusion, I find that the development as a whole would maintain the character of the area and that the verdant appearance of this part of the West Horsley Conservation Area would be preserved. Thus, the development accords with policies D1 and D3 of the Guildford Borough Local Plan: Strategy and Sites 2019 and policy D20 of the Guildford Borough Local Plan: Development Management Policies (2023) which seek to conserve the historic environment in a manner appropriate to its significance and require development to respond to the distinctive local character, including the landscape setting.
9. It would also comply with the similar objectives of the SPD and the National Planning Policy Framework 2023 (chapters 12 – achieving well-designed and beautiful places and 16 - conserving and enhancing the historic environment).

### **Conditions and Conclusion**

10. As the development has already taken place, conditions are not required in relation to commencement or compliance with the plans. However, in the interest of the character of the area, a condition is necessary to ensure the maintenance of the hedge as part of the boundary treatment.
11. For the reasons given above the appeal should be allowed.

*G Ellis*

INSPECTOR