



Appeal Decision

Site visit made on 11 March 2025

by R Cahalane BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12th May 2025

Appeal Ref: APP/Y3615/W/24/3340262

Land in Peaslake, between High Steeps and Homecroft, Peaslake Lane, Peaslake GU5 9SY

- 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 Mr Stuart and Mrs Antonia Freeman against the decision of Guildford Borough Council.
 - The application Ref is 23/P/01503.
 - The development proposed is erection of a new detached dwelling with access, parking, bins space to drive area.
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Decision

1. The appeal is dismissed.

Background and Main Issues

2. The above banner heading includes the address provided in the decision notice and the appeal form, as I have found it to be the most accurate description of the appeal site's address.
3. The site is within the Metropolitan Green Belt and inside the identified settlement boundary of Peaslake. The main parties agree that the proposal comprises limited infill in a village and thus is not inappropriate development in the Green Belt as set out in the National Planning Policy Framework (the Framework). Following my site visit, I have no reason to disagree.
4. The appeal submission includes an Arboricultural Impact Assessment and Method Statement report, which also contains a Tree Survey Schedule and a bespoke Tree Protection Plan (TPP) for the proposal. This has been reviewed by the Council's Tree Officer who raises no objection, subject to a planning condition.
5. It appeared during my site visit that the trees indicated for removal on the TPP had already been felled. The above technical report however states that no records of Tree Preservation Orders were found within the site, and that implementation of tree protection measures would be carried out after tree removals and tree surgery. Given this context, accepting this technical information would not lead to procedural unfairness to interested parties. I am satisfied that the recommended tree protection measures are sufficient and could have been secured by means of condition, had I been minded to allow the appeal.
6. Subsequent to the determination of the application subject of this appeal, a revised version of the Framework was issued on 12 December 2024. In the specific circumstances of this appeal, there is no need to invite further comments from the main parties, as the revisions do not affect policies pertinent to this appeal.

7. Previous schemes for single dwellings at this site were dismissed at appeal in 2007¹ and 2020². Whilst the planning history and previous appeal decisions are significant material considerations, I must also have regard to the submitted evidence for this appeal, along with the current local and national policy context. I have determined the appeal on this basis.
8. In light of all the above, the main issues are:
 - the effect of the proposed development on the character and appearance of the area, including the Surrey Hills National Landscape and Area of Great Landscape Value; and
 - the effect of the proposal on the significance of the Peaslake Conservation Area as a designated heritage asset, through development in its setting.

Reasons

Character and appearance

9. The appeal site is significantly elevated from Peaslake Lane, with an embankment along its frontage, and the land inclines steeply further towards its rear boundary. The site is undeveloped, and trees enclose much of its boundaries. It is within the settlement of Peaslake village, which is entirely within the Surrey Hills National Landscape (NL) and Area of Great Landscape Value (AGLV)³. The linear village form, with many generous spacings between dwellings allowing for views of treed areas and open countryside beyond, reflects its setting within the NL and AGLV.
10. The nearest chalet-style dwelling of The Old Surgery is immediately to the north and close to the road. It contains an open frontage with low picket fence, and was granted permission in 2015⁴ to add a first floor. This dwelling is however of relatively modest form with an eaves level below two storeys, and an area of tall trees remains clearly visible behind it along the rising slope. Immediately south lies a wooded area surrounding a long winding driveway up to the property of High Steeps, set significantly away from the site. The character of the appeal site and its immediate surrounds is therefore predominantly spacious and verdant, despite being located within the linear village settlement.
11. Given the sloping topography and the proposed scale, the appeal dwelling would be sited significantly higher than The Old Surgery and would appear bulkier and visually more assertive. It would also be sited higher than the two-storey semi-detached cottage-style properties along the opposite side of the road. There are larger two-storey dwellings further north and uphill facing the road, forming an established road frontage. Intervisibility from within and in front of the appeal site is however largely restricted by intervening shrubbery and the dormer-style dwelling of Homecroft.
12. The proposal would therefore form a prominent addition to the site and its street frontage, despite its shallow roof pitch. Its design seeks to provide a simple balanced architectural form. The squat roof form, along with the limited plain fenestration detail across a two-storeyed front gable facing the road, would however create a stark frontage and a generic suburban appearance. This design

¹ Council Ref: 06/P/01776

² Appeal Ref: APP/Y3615/W/19/3240331

³ The Council's adopted policies map shows the NL and AGLV to encompass the same area around the village.

⁴ Council Ref: 15/P/02102

would fail to reflect the traditional and somewhat more ornate building styles that form the predominant character and distinctiveness of the rural village. The development would therefore result in an unacceptably prominent and discordant form of development, at odds with its surrounding context.

13. Whilst many other dwellings along Peaslake Lane contain front parking areas or vehicular access points, the frontages by and large contain established hedgerows and shrubbery. By contrast, the proposed front parking area cut into the embankment would not be contained amongst established or new landscaping, and would further draw the eye to the visually harmful dwelling which it would serve.
14. Statute⁵ requires me to seek to further the statutory purposes of Protected Landscapes, including the NL. It is put to me that the proposal represents a landscape-first approach that would enhance the area by replacing an overgrown plot. I have however found that the undeveloped nature and verdant setting of the appeal site contributes positively to the scenic beauty of the NL, even if it does not comprise a wooded site. Furthermore, the scale and siting of the proposed dwelling would significantly restrict views of the trees beyond when walking past the site. Whilst views would be more fleeting via other modes of transport, it remains that the proposal would fail to conserve and enhance the special landscape qualities and scenic beauty of the NL and AGLV.
15. The proposed building to plot ratio and space to each side of the dwelling would not mitigate the adverse impact on the character and appearance of the area I have identified. Neither would the proposed landscape strategy, given the elevation of the dwelling above the new planting indicated between it and the front parking area.
16. I found wider views to be largely restricted by surrounding trees, undulating topography and other dwellings, including along Pound Lane. The adverse impact on the NL and AGLV which I have identified would thus be localised, but nonetheless contrary to Policy P1 of the Guildford Borough Local Plan: Strategy and Sites 2015-2034 (LPSS) (adopted 2019). This policy requires, amongst other things, the Surrey Hills Area of Outstanding Natural Beauty⁶ to be conserved and enhanced to maximise its special landscape qualities and scenic beauty.
17. Having regard to all above matters, I have also found the proposal would be harmful to the character and appearance of the area, contrary to Policy D1 of the LPSS and Policy D4 of the Guildford Borough Local Plan: Development Management Policies (LPDMP), adopted 2023. Collectively, these policies require, amongst other things, development to be of high quality design that reflects and contributes to local distinctiveness, by responding positively to surrounding context, prevailing character, landscape and topography.

Setting of Peaslake Conservation Area

18. The Peaslake Conservation Area (CA) boundaries encapsulate a relatively large proportion of Peaslake village. The Peaslake Lane segregated footway terminates in very close proximity to the CA boundary, which helps to differentiate its character from the rest of the village. From what I saw during my site visit, the significance of the CA is derived from its well-preserved village core containing distinctive

⁵ Section 245 of the Levelling-up and Regeneration Act 2023

⁶ Now known as the Surrey Hills National Landscape

landmark buildings and features, along with linear patterns of largely historic dwellings along the arterial laneways, many with extensive landscaped frontages.

19. The appeal site is outside of the CA. However, due to its elevated topography and proximity to the CA boundary on the opposite side of the road to the southwest, the proposal would be within the setting of the CA where the development could affect the manner in which the CA is experienced. Many views of the appeal site from along Peaslake Lane towards the CA are restricted by shrubbery along the approach. Whilst this restricts any individual “gateway” function for the site, its verdant and undeveloped form and character nonetheless contributes positively to the significance of the CA as a designated heritage asset (DHA).
20. The proposed dwelling would be set back sufficiently from the road to avoid any harm to the significance of the CA through development in its setting. The proposed front parking area cut into the existing embankment would however significantly alter the undeveloped character of the site’s more visible frontage. The impact of this change would be accentuated by the tree loss and the limited proposed new planting. Whilst there are other front parking areas along the lane, they are further away from the CA boundary and no similar examples exist nearby within the CA.
21. Therefore, contrary to the conclusion of the appellants’ review of the potential landscape and visual impacts of the proposal⁷, I have found that the parking area would harm the significance of the CA through development in its setting. It would thus fail to preserve its significance as a DHA. The CA is clearly an important asset for the village, and I afford great weight to its conservation.
22. In this respect, the development conflicts with Policy D3 of the LPSS and Policy D20 of the LPDMP. These policies require, amongst other things, development proposals affecting the setting of a CA to preserve or enhance its special character and appearance, and to reinforce or complement the character and local distinctiveness of the CA.

Other Matters

23. The appellants sought advice from a local surveyor and agent. These external experts concluded that the site is not practical for agricultural or forestry use, and would be most viable for Class C3 residential purposes. This does not however justify the specific layout and design currently proposed, which I have found to be harmful to the character and appearance of the area.
24. My attention is drawn to an appeal allowed⁸ for two dwellings within the conservation area of West Clandon village, outside a settlement boundary, and a follow up application approved by the Council⁹. The approved plans for this site are not before me. In any event, this case relates to a different amount of development in another village and conservation area, which will inevitably have a divergent site-specific context to the appeal site. This example therefore does not persuade me that this appeal should succeed.
25. The appellants have been inconvenienced by the application determination being delayed by officers leaving during a service merger, and the associated uncertainty. Any shortcomings in the service provided during determination would be a matter

⁷ Landscape Perspective Ltd, dated 22 August 2023

⁸ APP/Y3615/W/19/3230987: Land to the south of Tawny Cottage, The Street

⁹ Council Ref: 21/P/02637

between the Council and the appellants and has had no bearing on my determination of this appeal.

26. The lack of objections raised by the Council in respect of highway considerations, ecology, and neighbouring living conditions, are all neutral factors that weigh neither in favour nor against the proposal.

Heritage and Planning Balance

27. Policy D18 of the LPDMP states, amongst other things, that proposals which result in harm to the significance of DHA will be considered in line with national policy and guidance. The visual impact arising from the proposed parking area amounts to less than substantial harm to the significance of the CA, having regard to the Framework. Less than substantial harm does not however equate to a less than substantial planning objection.
28. Paragraph 212 of the Framework states that when considering the impact of development on the significance of a DHA, great weight should be given to its conservation. Framework paragraph 213 states that any harm to the significance of a DHA, including from development within its setting, should require clear and convincing justification.
29. Paragraph 215 states that less than substantial harm should be weighed against the public benefits of the proposal. The dwelling would provide family accommodation within the village settlement boundary and close to its facilities. It would make a small but material contribution towards housing supply, and small sites such as this can cumulatively provide a significant contribution. The development works would generate employment during construction and then there would be economic benefits from spending in local businesses by occupiers of the dwelling. I afford moderate weight to these benefits.
30. These benefits would however not outweigh the extent of harm upon the CA's significance which would arise from the proposed parking area. I am also not satisfied that this aspect of the proposal has been designed to minimise the conflict between it and the heritage asset's conservation, as required by Framework paragraph 208. In this respect, there is therefore conflict with Policy D3 of the LPSS, and Policies D18 and D20 of the LPDMP.
31. As already set out above, the overall proposal would also fail to conserve and enhance the special landscape qualities and scenic beauty of the NL and AGLV, and would be materially harmful to the character and appearance of the area. This is contrary to Policies P1 and D1 of the LPSS and Policy D4 of the LPDMP.

Conclusion

32. For the reasons given above, the proposal conflicts with the development plan as a whole and the material considerations before me do not indicate that a decision should be made otherwise than in accordance with the development plan. Therefore, the appeal is dismissed.

R Cahalane

INSPECTOR