
Appeal Decision

Site visit made on 6 October 2025

by **C Coles MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 30th October 2025

Appeal Ref: APP/Y3615/W/25/3366614

25 Papercourt Lane, Ripley, Surrey GU23 6DS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
 - The appeal is made by Mr Vince Millen of Millen Homes Ltd against the decision of Guildford Borough Council.
 - The application Ref is 25/P/00344.
 - The development proposed is custom/self-build dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal is in outline form for the erection of one custom/self-build dwelling with access and layout only being considered.
3. The Local Planning Authority (LPA) now considers the proposal falls within exception g) of paragraph 154 of the National Planning Policy Framework (the Framework) and is not inappropriate development in the Green Belt. The LPA no longer intends to defend the first reason for refusal. I see no reasons to disagree with its new position on this matter and will not consider the first reason for refusal further.
4. Following the submission of a Preliminary Ecological Appraisal (PEA) with the appeal, the LPA is satisfied that sufficient ecological survey work has been undertaken to confirm the likely absence on site of protected species. The LPA considers that the third reason for refusal has now been satisfactorily overcome by this additional evidence and the LPA no longer wishes to defend this reason for refusal. I see no reasons to disagree with its new position on this matter and will not consider the third reason for refusal further.
5. The appellant has submitted a Unilateral Undertaking (UU) to secure contributions towards Suitable Alternative Natural Green Space (SANG) and towards access management of the Special Protection Area (SPA). The LPA considers that the fourth reason for refusal has now been satisfactorily addressed and no longer wishes to defend this reason for refusal. I will turn to this later in my decision.

Main Issue

6. The main issue is whether the site represents a suitable location for housing having regard to its accessibility to services and facilities.

Reasons

7. The site is located outside the settlement boundary, along a single track rural lane (Papercourt Lane) with no footpath and a single street light.
8. The site is approximately 1.2km by road to Ripley High Street. In the opposite direction, the road becomes Tannery Lane which is also single track and ends in the village of Send which is further from the site than Ripley.
9. The lack of footpath and street lighting would mean the occupiers of the proposal would be unlikely to walk from the site to everyday facilities. In any event, the distance to everyday facilities would preclude walking as a realistic mode of transport for many people, especially those with young children, impaired mobility or who need to carry shopping. Walking would also only be reasonably suitable as a mode of transport in good weather and daylight hours.
10. There are no cycle paths leading from the site in any direction, although the provision of cycle parking on the site is noted. The lack of cycle paths coupled with the narrow nature of Papercourt Lane and the busy nature of Newark Lane are likely to deter all but the most proficient cyclists from accessing facilities by bicycle from the site.
11. The appellant gives two different figures for the distance from the site to the nearest bus stop (approximately 150m and 200m) and the Council states the distance is approximately 250m. In any case, this bus stop is served by the no 40 route which operates between Woking and Send Marsh Road and runs only once a week each way. Regular bus services between Guildford and Woking operate from Ripley village, approximately 1.5km from the site. Therefore, there is no regular bus service within a reasonable walking distance of the site to make this a viable alternative to the car.
12. The nearest train station is at Woking which is a 6km journey by road from the site. The distance to the nearest train station would mean occupiers would likely drive from the site to the station to use any trains.
13. Paragraphs 105–112 of the Framework require that developments are located where opportunities to promote walking, cycling and public transport use are maximised. It is acknowledged that paragraph 110 of the Framework recognises that opportunities to maximise sustainable transport between urban and rural areas will vary, however development should limit the need to travel and offer a genuine choice of transport modes.
14. When read in isolation, Paragraph 116 of the Framework considers development from a highway safety and road network perspective but does not specifically consider the locational suitability of a site for new development in relation to access to services, facilities and the public transport network. It is noted that the proposal would not have an unacceptable impact on highway safety or cause a severe impact on the road network. However, this does not overcome the harm caused by the rural location of the proposal through its residents being largely reliant on the private car for the majority of trips to and from the site, and opportunities to promote walking, cycling and public transport use not being maximised.

15. Paragraph 115 of the Framework requires the prioritisation of sustainable transport modes. Paragraph 117 of the Framework requires applications for development to give priority first to pedestrian and cycle movements and to facilitating access to high quality public transport. I do not consider the location of the site would limit the need to travel, offer a genuine choice of transport modes or gives priority to pedestrian and cycle movements.
16. In conclusion, it is highly likely that the majority of journeys to and from the site would be made by private motor vehicle. Visitors to the site would also be likely to be reliant on the private motor car. Therefore, the site would not represent a suitable location for housing having regard to its accessibility to services and would be contrary to Policy ID3 of the Guildford Borough Local Plan: Strategy and Sites 2015-2034 which requires new development to provide high quality safe and direct walking and cycling routes to encourage short distance trips by walking and cycling.

Other Matters

17. The appellant has submitted a self-build proforma saying the scheme is self-build and a letter of intent demonstrating the appellants commitment to delivering a genuine custom/self-build dwelling. However, no method of securing the dwelling as a self-build has been provided. This is necessary to secure the Biodiversity Net Gain exemption. If the proposal had been acceptable for other reasons a mechanism for securing the dwelling as self-build would have been sought.
18. The appellant has provided a signed UU which secures financial contributions to mitigate the adverse effect of the proposal on the integrity of the Thames Basin Heaths Special Protection Area, in line with the Special Protection Area Tariffs Supplementary Planning Document September 2024 and the Guildford Borough Council Thames Basin Heaths Special Protection Area Avoidance Strategy 2017 Supplementary Planning Document July 2017. The Council is satisfied with the contents of the UU. However, the appeal is being dismissed for other reasons and therefore there is no need for me to undertake an Appropriate Assessment.

Planning Balance and Conclusion

19. The Council is currently unable to demonstrate a five-year housing land supply, although the extent of the shortfall has not been clarified. Given that the parties agree the proposal would not constitute inappropriate development within the Green Belt, the application of policies in the Framework that protect areas or assets of particular importance would not provide a strong reason for refusing development. As such paragraph 11d) ii engaged. This states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, granting planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations (amongst other considerations).
20. The appeal site is located in a rural location where residents would be heavily dependent on the private motor vehicle to access amenities and public transport connections to the wider area. There are no regular public transport links within reasonable walking distance, and cycling opportunities would be limited to all but the most proficient. The site is an unsuitable location for new residential

development, contrary to the development plan, and the harm identified is given significant weight.

21. The proposal would result in the creation of one self-build or custom build dwelling. The most up-to-date published evidence base (the Council's Authority Monitoring Report for the period 1 April 2023-31 March 2024) demonstrates there is no shortfall of self-build/custom-build plots. The appellant contends the Council has not consistently met its legal duty to provide self-build plots indicating an unmet need. Despite this, as the proposal was found unacceptable for other reasons, a s106 agreement securing the proposal as a self-build dwelling was not sought and therefore the benefit of a self-build dwelling is afforded neutral weight.
22. The proposal would provide a single dwelling where there is no five-year housing land supply, and would incorporate sustainability measures, such as electric vehicle charging capability and bicycle storage. This modest contribution towards housing supply is a benefit afforded moderate weight in favour of the proposal.
23. In the overall planning balance, the adverse impacts of granting permission identified would significantly and demonstrably outweigh the benefits. As a result, the proposal would not constitute sustainable development in terms of the Framework and the presumption in favour of sustainable development does not apply. The proposal conflicts with the development plan when taken as a whole and the material considerations in this case do not indicate that the decision should be taken other than in accordance with the development plan. I therefore conclude the appeal should be dismissed.

C Coles

INSPECTOR