
Appeal Decision

Site visit made on 30 September 2025

by Thomas Courtney BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 November 2025

Appeal Ref: APP/R3650/W/25/3365622

11 Woodlands Lane, Haslemere, Surrey GU27 1JU

- 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 Clive Bwyne against the decision of Waverley Borough Council.
 - The application Ref is WA/2024/01832.
 - The development proposed is the erection of 1 dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. In the interest of accuracy of conciseness, the description of development in the banner heading above is based on the Council's decision notice.
3. The planning application subject of this appeal was made in outline form with all matters reserved for future consideration. Accordingly, the submitted plans can only be taken as indicative at this stage. I have determined the appeal on this basis.
4. The appellant submitted an Arboricultural Impact Assessment (APArboriculture, March 2025) and an Ecological Appraisal and Biodiversity Net Gain Report (GPM Ecology, May 2025). The Council and other third parties have had the opportunity to view and comment on these documents and as they clarify technical matters without materially altering the proposal, I have taken them into account.

Main Issues

5. The main issues in this case are:
 - the effect of the proposed development on the character and appearance of the area;
 - whether the proposed development would provide adequate living conditions for future occupants, with particular regard to outlook and outdoor amenity space;
 - the effect of the proposed development on the living conditions of neighbouring occupiers at Nos 3 and 4 Underwood Road, with particular regard to privacy and outlook;
 - the effect of the proposed development on protected species; and

- the effect of the proposed development on trees.

Reasons

Character and appearance

6. Woodlands Lane is a quiet residential cul-de-sac characterised by detached houses and bungalows set within substantial, irregular plots. Towards the end of the road, in the vicinity of the appeal site, the dwellings generally occupy slightly elevated positions above the carriageway, with front gardens that slope up from the road and steeply sloped rear gardens below The Avenue. This arrangement creates a stepped, verdant townscape in which properties sit within spacious plots framed by mature vegetation and landscaping. The streetscene is typified by a rhythm of dwellings addressing the road frontage.
7. No. 11 is the last property at the end of the lane. Its plot is steeply contoured, the dwelling sitting several metres above road level. There is a row of flat-roofed garages and a carport at the end of the lane serving No 11 and the neighbouring properties at Nos 7 and 9. The garages form a clear termination to the line of built development along Woodlands Lane, beyond which comprises the appeal site. It consists of garden land which slopes upwards steeply towards the north-east.
8. The proposal would introduce a new single-storey dwelling immediately behind these garages. Although modest in scale, its siting would introduce built development onto garden land that currently contributes to the open, sylvan character of the area. The appellant argues that this would amount to a logical rounding-off of the built form. However, the garages are ancillary structures clearly detached from the main building line and frontage formed by No. 11 and its neighbours. A dwelling positioned behind the garages would not complete the pattern of development but would project into space that presently provides visual relief and a soft landscaped edge and backdrop to the street. Rather than rounding off the pattern of development, the proposal would create an isolated, backland element detached from the coherent frontage of Woodlands Lane.
9. This backland arrangement would jar with the prevailing urban grain, which is defined by dwellings addressing the road with landscaped front gardens. Even allowing for its limited height and partial screening, the dwelling would have an awkward, secondary relationship with the garages and the existing houses. It would appear tucked away and divorced from the rhythm and orientation of surrounding plots. It would constitute an incongruous and contrived insertion that would fail to respect the established pattern of development.
10. The steepness of the site and the proximity to its boundaries and the adjacent garages would further restrict a sense of spaciousness around the building. The confined layout would contrast sharply with the more open character of neighbouring plots.
11. The appellant also refers to developments within smaller plots allowed within Haslemere, suggesting that these demonstrate local acceptance of higher-density development. However, those plots lie within a more densely built-up part of Haslemere with a distinctly tighter grain and different pattern of plots and building relationships. It does not share the spacious, landscaped character of Woodlands Lane.

12. Similarly, the appellant contends that the proposed ratio of building mass to plot size would be better than what exists on Underwood Road. The shape of the appeal site and the open setting of Woodlands Lane differ significantly from the character of Underwood Road which features tightly knit semi-detached housing with long and narrow front and rear gardens. These comparisons therefore carry little weight, as the physical and visual context of the appeal site is wholly different.
13. Accordingly, the proposal would harm the character and appearance of the area, contrary to Policy TD1 of Part 1 of the Waverley Local Plan (2018)¹, DM1 and DM4 of Part 2 of the Local Plan (2023)² (the 'Local Plan') and Policy H6 of the Haslemere Neighbourhood Plan (2021) insofar as they seek to ensure new development is of high-quality design that responds to local character, topography, building plot sizes, streetscape rhythm and the established pattern of development. I have attached substantial weight to this harm.

Living conditions of future occupiers

14. The indicative drawings show the proposed dwelling positioned directly behind the existing row of garages. While these garages are modest in scale, their solid frontage would result in the proposed dwelling being partially screened from Woodlands Lane and enclosed by built and densely vegetated boundaries on all sides. This positioning would appear cramped and give the dwelling an inward-facing relationship with its surroundings.
15. The appellant suggests that some future occupants might value the small plot size and absence of a street frontage, describing it as a discreet and private setting. While privacy is a desirable quality, adequate living conditions also depend on a reasonable sense of outlook and connection with the surrounding environment. In this instance, the dwelling's position behind the garages, coupled with rising ground, the proximity of a retaining wall and dense boundary vegetation to the south and west, would substantially curtail outward views and result in a heavily contained outlook from principal rooms. The nestled arrangement would feel awkward and disconnected within a street where dwellings enjoy an open aspect and a more conventional relationship with the road.
16. The confined siting also affects the quality of private outdoor space. The sections plan shows that the area to the side of the proposed dwelling would slope steeply away beyond a retaining wall. The rear depth of the garden would also be limited and would fall below the expected minimum depth set in Policy DM5 of the Local Plan. Notwithstanding this, the amount of garden space proposed would still be adequate. Whilst the shape and depth of the garden would be irregular, I do not find that it would necessarily reduce its useability. The garden would still be private and would allow for sitting out, play, or other everyday domestic activities.
17. Although the proposed garden would be acceptable, the positioning of the dwelling would create a living environment that would feel confined and uncharacteristically enclosed for a detached dwelling in this suburban setting. The awkward, recessed siting behind the garages would fail to provide future occupiers with acceptable outlook, resulting in harm to the living conditions of the future occupants.

¹ Waverley Borough Council, Local Plan Part 1: Strategic Policies and Sites, adopted February 2018.

² Waverley Borough Council, Local Plan Part 2: Site Allocations and Development Management Policies, adopted March 2023.

18. The proposal would therefore not provide adequate living conditions for the future occupiers. It would conflict with Policies TD1 and DM5 of the Local Plan insofar as they seek to ensure new development is designed so that it creates safe and attractive environments that meet the needs of users and avoids harm to the amenity of future occupants. I have attached substantial weight to this harm.

Living conditions of neighbours

19. The Council's concern relates to the elevated position of the appeal site relative to neighbouring dwellings on Underwood Road and the potential for the new building to appear overbearing or allow overlooking of their gardens. The appellant, by contrast, points to the single-storey nature of the dwelling, existing boundary screening, and intervening distances as evidence that no harm would arise.
20. The submitted sections plan indicate a difference in ground levels of around four metres between the proposed building and the neighbouring gardens. However, the dwelling would be single-storey and would be mostly screened by the tall Cherry Laurel and Cypress hedging that forms the common boundary with Nos 3 and 4 Underwood Road. The hedge, even if not protected, is mature and well-established. Its retention and, where necessary, replacement could be ensured by condition.
21. Taking these factors together, I find that the relative height difference would not translate into a harmful or overbearing impact. Given the single-storey height, there would be no direct views into neighbouring windows or private garden areas.
22. Accordingly, the proposal would not cause unacceptable harm to the living conditions of the neighbouring occupiers at 3 and 4 Underwood Road in respect of outlook or privacy. It would therefore comply with Policies TD1 and DM5 of the Local Plan and Policy H6 of the Haslemere Neighbourhood Plan insofar as they seek to ensure that development avoids harm to the amenity of occupants of nearby buildings and residences by way of overlooking, loss of daylight or sunlight, or overbearing appearance.

Protected species

23. The Preliminary Ecological Appraisal submitted with the appeal indicates that the site comprises managed garden land with limited habitat diversity and negligible potential for protected species. Although the biodiversity metric identifies a small net loss of habitat units, the report proposes enhancement measures including native hedge planting and the installation of bird boxes. Such measures could be secured by condition and would adequately offset any minor loss.
24. I am satisfied that the information and surveys provided with the appeal demonstrate that the proposal would not harm protected species or unacceptably impact biodiversity. Given this, the proposal would accord with Policies NE1 and DM1 of the Local Plan insofar as they seek to ensure that proposals retain, protect and enhance biodiversity, mitigate adverse impacts on existing environmental assets.

Trees

25. The arboricultural report submitted with the appeal identifies four trees within or adjacent to the site. Two small non-protected trees (Category C) would be removed to facilitate the proposed works. The retained trees, including a Category

B oak tree located to the south of the site, could be protected through the measures set out in the accompanying Arboricultural Method Statement. Subject to a condition securing those provisions, the proposal would not endanger retained or protected trees.

26. It would therefore comply with Policies NE2 and DM11 of the Local Plan and Policy H9 of the Haslemere Neighbourhood Plan insofar as they seek to ensure that proposals to maintain, protect and enhance existing trees of value.

Other Considerations

27. The Council acknowledge that they cannot demonstrate a 5-year supply of deliverable housing land. The evidence before me is that the level of supply was 3.19 years in November 2024. Consequently, because of the provisions of footnote 7, paragraph 11 d) of the National Planning Policy Framework (the 'Framework') is engaged. As such, it is necessary for me to determine whether the adverse impacts of the proposal would significantly and demonstrably outweigh the benefits inherent in providing an additional dwelling to assist the Council in addressing its undersupply.
28. I have found conflict with Policies TD1, DM1, DM4 and DM5 of the Local Plan which are consistent with the Framework. Against that, the appellant highlights several benefits arising from the proposal. They consider the proposal would be an efficient use of land, providing new housing in a sustainable location within walking distance of local services and public transport. However, the addition of a single dwelling would make only a minor contribution to housing supply but, given the shortfall, this nonetheless attracts moderate weight in favour of the proposal.
29. There would also be some minimal economic benefits during construction and from future occupants' contributions to the local economy through the use of services and facilities. I have attached limited weight to this consideration.
30. The design and access statement claims that the new dwelling would be energy-efficient and built to modern standards, thereby contributing to sustainability objectives. No specific fabric performance measures, low-carbon technologies or energy strategy are, however, detailed within the submission. While new housing typically performs better than older stock, the evidence does not show any exceptional performance beyond normal Building Regulations requirements. This matter carries limited weight.
31. A neighbour expressed support for the scheme, stating the proposed dwelling would be well-designed, would improve visual amenity and be a positive addition to the neighbourhood. As the plans are indicative, I have only had regard to the siting and broad layout and height of the proposed building. There are no detailed elevations plans given the application was made in outline form. Therefore, I cannot decisively assess its external appearance. However, I have found the siting of the dwelling would harm the character and appearance of the area. I have attached limited weight to this consideration.

Planning Balance and Conclusion

32. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications for planning permission, and therefore appeals, must be determined in accordance with the Development Plan, unless material considerations indicate

otherwise. The harm I have identified would significantly and demonstrably outweigh the moderate benefits of the appeal scheme, when assessed against the policies in the Framework taken as a whole.

33. The appeal site is located within the East Hants Special Protection Area (SPA) 5 km zone and the Wealden Heaths SPA 5 Km zone. I have a duty under the Conservation of Habitats and Species Regulations 2017 to assess any impact the proposed development would have upon the European designated sites identified. However, as I am dismissing the appeal for the reasons given above, I do not need to conduct any further assessment in relation to the SPAs.
34. The proposal conflicts with the development plan and the material considerations, including the Framework, do not indicate that the appeal should be decided other than in accordance with it.
35. For the reasons given above the appeal should be dismissed.

Thomas Courtney

INSPECTOR